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Fill in this information to identify your case:		
United States Bankruptcy Court for the:		
NORTHERN DISTRICT OF ILLINOIS	_	
Case number (if known)	Chapter you are filing under:	
	Chapter 7	
	☐ Chapter 11	
	☐ Chapter 12	
	☐ Chapter 13	Check if this an amended filing

B 101

## **Voluntary Petition for Individuals Filing for Bankruptcy**

12/15

The bankruptcy forms use you and Debtor 1 to refer to a debtor filing alone. A married couple may file a bankruptcy case together—called a *joint case*—and in joint cases, these forms use you to ask for information from both debtors. For example, if a form asks, "Do you own a car," the answer would be yes if either debtor owns a car. When information is needed about the spouses separately, the form uses *Debtor 1* and *Debtor 2* to distinguish between them. In joint cases, one of the spouses must report information as *Debtor 1* and the other as *Debtor 2*. The same person must be *Debtor 1* in all of the forms.

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Par	t 1: Identify Yourself			
		About Debtor 1:		About Debtor 2 (Spouse Only in a Joint Case):
1.	Your full name			
	Write the name that is on your government-issued picture identification (for example, your driver's license or passport).  Bring your picture identification to your meeting with the trustee.	Dave First name  J Middle name  Upchurch Last name and Suffix (Sr., Jr., II, III)	-	Rachel First name  V Middle name  Upchurch Last name and Suffix (Sr., Jr., II, III)
2.	All other names you have used in the last 8 years Include your married or maiden names.	David J Upchurch		Rachel V Ruel
3.	Only the last 4 digits of your Social Security number or federal Individual Taxpayer Identification number (ITIN)	xxx-xx-6124		xxx-xx-0438

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Debtor 1 Debtor 2 Dave J Upchurch Rachel V Upchurch

Case number (if known)

		About Debtor 1:	About Debtor 2 (Spouse Only in a Joint Case):				
Any business names and Employer Identification Numbers (EIN) you have used in the last 8 years		■ I have not used any business name or EINs.	■ I have not used any business name or EINs.				
	Include trade names and doing business as names	Business name(s)	Business name(s)				
		EINs	EINs				
5.	Where you live	222 N. Merrill Street Braceville, IL 60407	If Debtor 2 lives at a different address:				
		Number, Street, City, State & ZIP Code	Number, Street, City, State & ZIP Code				
		Grundy					
		County	County				
		If your mailing address is different from the one above, fill it in here. Note that the court will send any notices to you at this mailing address.	If Debtor 2's mailing address is different from yours, fill it in here. Note that the court will send any notices to this mailing address.				
		PO Box 153 Braceville, IL 60407					
		Number, P.O. Box, Street, City, State & ZIP Code	Number, P.O. Box, Street, City, State & ZIP Code				
6.	Why you are choosing this district to file for	Check one:	Check one:				
	bankruptcy	Over the last 180 days before filing this petition, I have lived in this district longer than in any other district.	Over the last 180 days before filing this petition, I have lived in this district longer than in any other district.				
		☐ I have another reason. Explain. (See 28 U.S.C. § 1408.)	☐ I have another reason. Explain. (See 28 U.S.C. § 1408.)				

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Deb	tor 1 tor 2	Dave J Upchurch Rachel V Upchurc	h		Docui		Case number (if known)	
Part	· 2.	Tell the Court About \	/our Ba	unkruntev Ca	250			
7.		chapter of the				of each, see Notice Required by	11 U.S.C. § 342(b) for Individuals Filin	 na for Bankruptcv
	Bank	ruptcy Code you are sing to file under				page 1 and check the appropriate		.g .c. Zamaaptoy
	01100	onig to me under	■ Ch	apter 7				
				apter 11				
			_	apter 12				
			☐ Ch	apter 13				
8.	How	you will pay the fee	_	about how yo	ou may pay. Typ attorney is subr	ically, if you are paying the fee yo	ck with the clerk's office in your local courself, you may pay with cash, cashie alf, your attorney may pay with a cred	er's check, or money
						allments. If you choose this options (Official Form 103A).	on, sign and attach the Application for	· Individuals to Pay
				I request that but is not req that applies t	at my fee be wa quired to, waive yo o your family siz	ived (You may request this option your fee, and may do so only if your fee and you are unable to pay the	n only if you are filing for Chapter 7. B our income is less than 150% of the of fee in installments). If you choose this Official Form 103B) and file it with you	ficial poverty line option, you must fill
		ave you filed for						
b		ankruptcy within the ast 8 years?	☐ Yes	3.				
				District		When	Case number	
				District		When	Case number	
				District		When	Case number	
10.		ny bankruptcy s pending or being	■ No					
f r y	filed not fi you,	by a spouse who is lling this case with or by a business er, or by an	☐ Yes	S.				
				Debtor			Relationship to you	
				District		When	Case number, if known	
				Debtor		When	Relationship to you  Case number, if known	
				District		when	Case number, ii known	
11.		ou rent your ence?	■ No.	Go to	line 12.			
	resia	CIICE (	☐ Yes	s. Has yo	our landlord obta	ined an eviction judgment agains	st you and do you want to stay in your	residence?
					No. Go to line	12.		
					Yes. Fill out Indibankruptcy pet		Judgment Against You (Form 101A) a	ınd file it with this

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Deb	otor 2 Rachel V Upchure	h			Case number (if known)			
Par	t 3: Report About Any Bu	sinesses	You Owr	n as a Sole Proprie	tor			
12	Are you a sole proprietor			•				
12.	of any full- or part-time business?	■ No.	Go to	Part 4.				
		☐ Yes.	Name	e and location of bus	siness			
	A sole proprietorship is a							
	business you operate as an individual, and is not a separate legal entity such as a corporation, partnership, or LLC.			e of business, if any				
	If you have more than one sole proprietorship, use a separate sheet and attach		Numl	oer, Street, City, Sta	te & ZIP Code			
	it to this petition.		Chec	k the appropriate bo	ox to describe your business:			
				Health Care Busin	ness (as defined in 11 U.S.C. § 101(27A))			
				Single Asset Real	Estate (as defined in 11 U.S.C. § 101(51B))			
				Stockbroker (as d	lefined in 11 U.S.C. § 101(53A))			
				Commodity Broke	er (as defined in 11 U.S.C. § 101(6))			
				None of the above	e			
13.	Are you filing under Chapter 11 of the Bankruptcy Code and are you a small business debtor?	deadline operation	If you are filing under Chapter 11, the court must know whether you are a small business debtor so that it can set appropries deadlines. If you indicate that you are a small business debtor, you must attach your most recent balance sheet, statement operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the process in 11 U.S.C. 1116(1)(B).					
	For a definition of small	■ No.	I am	not filing under Chap	oter 11.			
	business debtor, see 11 U.S.C. § 101(51D).	□ No.	I am Code		11, but I am NOT a small business debtor according to the definition in the Bankruptcy			
		☐ Yes.	I am	filing under Chapter	11 and I am a small business debtor according to the definition in the Bankruptcy Code.			
Par	t 4: Report if You Own or	· Have An	/ Hazard	ous Property or An	y Property That Needs Immediate Attention			
	Do you own or have any	■ No.	,	, , , , , , , , , , , , , , , , , , ,	,			
	property that poses or is							
	alleged to pose a threat of imminent and identifiable hazard to	☐ Yes.	What is	the hazard?				
	public health or safety? Or do you own any property that needs immediate attention?			diate attention is , why is it needed?				
	For example, do you own perishable goods, or livestock that must be fed, or a building that needs urgent repairs?		Where i	s the property?	Number, Street, City, State & Zip Code			
					Turnos, Strong only, State & Elp South			

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Debtor 1 **Dave J Upchurch** Debtor 2 Rachel V Upchurch

Case number (if known)

Part 5:

Explain Your Efforts to Receive a Briefing About Credit Counseling

#### 15. Tell the court whether you have received a briefing about credit counseling.

The law requires that you receive a briefing about credit counseling before you file for bankruptcy. You must truthfully check one of the following choices. If you cannot do so, you are not eligible to

If you file anyway, the court can dismiss your case, you will lose whatever filing fee you paid, and your creditors can begin collection activities again.

#### About Debtor 1:

You must check one:

I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, and I received a certificate of completion.

Attach a copy of the certificate and the payment plan, if any, that you developed with the agency.

I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, but I do not have a certificate of completion.

Within 14 days after you file this bankruptcy petition, you MUST file a copy of the certificate and payment plan, if any.

I certify that I asked for credit counseling services from an approved agency, but was unable to obtain those services during the 7 days after I made my request, and exigent circumstances merit a 30-day temporary waiver of the requirement.

To ask for a 30-day temporary waiver of the requirement, attach a separate sheet explaining what efforts you made to obtain the briefing, why you were unable to obtain it before you filed for bankruptcy, and what exigent circumstances required you to file this case.

Your case may be dismissed if the court is dissatisfied with your reasons for not receiving a briefing before you filed for bankruptcy. If the court is satisfied with your reasons, you must still receive a briefing within 30 days after you file. You must file a certificate from the approved agency, along with a copy of the payment plan you developed, if any. If you do not do so, your case may be dismissed.

Any extension of the 30-day deadline is granted only for cause and is limited to a maximum of 15 days.

I am not required to receive a briefing about credit counseling because of:

Incapacity. I have a mental illness or a mental deficiency that makes me incapable of realizing or

making rational decisions about finances.

My physical disability causes Disability. П

me to be unable to participate in a briefing in person, by phone, or through the internet, even after I reasonably tried to do so.

П Active duty. I am currently on active military duty in a military

combat zone.

If you believe you are not required to receive a briefing about credit counseling, you must file a motion for waiver of credit counseling with the court.

#### About Debtor 2 (Spouse Only in a Joint Case):

You must check one:

I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, and I received a certificate of completion.

Attach a copy of the certificate and the payment plan, if any, that you developed with the agency.

☐ I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, but I do not have a certificate of completion.

Within 14 days after you file this bankruptcy petition, you MUST file a copy of the certificate and payment plan, if

I certify that I asked for credit counseling services from an approved agency, but was unable to obtain those services during the 7 days after I made my request, and exigent circumstances merit a 30-day temporary waiver of the requirement.

To ask for a 30-day temporary waiver of the requirement, attach a separate sheet explaining what efforts you made to obtain the briefing, why you were unable to obtain it before you filed for bankruptcy, and what exigent circumstances required you to file this case.

Your case may be dismissed if the court is dissatisfied with your reasons for not receiving a briefing before you filed for bankruptcy.

If the court is satisfied with your reasons, you must still receive a briefing within 30 days after you file. You must file a certificate from the approved agency, along with a copy of the payment plan you developed, if any. If you do not do so, your case may be dismissed.

Any extension of the 30-day deadline is granted only for cause and is limited to a maximum of 15 days.

I am not required to receive a briefing about credit
counseling because of:

Incapacity. I have a mental illness or a mental

> deficiency that makes me incapable of realizing or making rational decisions about finances.

My physical disability causes me to Disability.

be unable to participate in a briefing in person, by phone, or through the internet, even after I reasonably tried

to do so.

Active duty. I am currently on active military duty

in a military combat zone.

If you believe you are not required to receive a briefing about credit counseling, you must file a motion for waiver of credit counseling with the court.

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Debtor 1 **Dave J Upchurch** Rachel V Upchurch Debtor 2 Case number (if known) Part 6: **Answer These Questions for Reporting Purposes** 16. What kind of debts do Are your debts primarily consumer debts? Consumer debts are defined in 11 U.S.C. § 101(8) as "incurred by an 16a. individual primarily for a personal, family, or household purpose." you have? ■ No. Go to line 16b. Yes. Go to line 17. 16b. Are your debts primarily business debts? Business debts are debts that you incurred to obtain money for a business or investment or through the operation of the business or investment. ☐ No. Go to line 16c. ☐ Yes. Go to line 17. 16c. State the type of debts you owe that are not consumer debts or business debts 17. Are you filing under ☐ No. I am not filing under Chapter 7. Go to line 18. Chapter 7? Do you estimate that I am filing under Chapter 7. Do you estimate that after any exempt property is excluded and administrative Yes. after any exempt expenses are paid that funds will be available to distribute to unsecured creditors? property is excluded and administrative expenses ■ No are paid that funds will be available for □ Yes distribution to unsecured creditors? 18. How many Creditors do **1**,000-5,000 **1** 25,001-50,000 **1**-49 you estimate that you **5001-10,000 5**0,001-100,000 **50-99** owe? **1**0,001-25,000 ■ More than 100,000 □ 100-199 **200-999** 19. How much do you □ \$0 - \$50,000 □ \$500,000,001 - \$1 billion □ \$1,000,001 - \$10 million estimate your assets to □ \$50,001 - \$100,000 □ \$10,000,001 - \$50 million □ \$1,000,000,001 - \$10 billion be worth? □ \$50,000,001 - \$100 million □ \$10.000.000.001 - \$50 billion **\$100,001 - \$500,000** □ \$100,000,001 - \$500 million ☐ More than \$50 billion □ \$500,001 - \$1 million 20. How much do you □ \$0 - \$50,000 □ \$1,000,001 - \$10 million □ \$500,000,001 - \$1 billion estimate your liabilities **\$50,001 - \$100,000** □ \$10,000,001 - \$50 million □ \$1,000,000,001 - \$10 billion to be? □ \$50,000,001 - \$100 million □ \$10,000,000,001 - \$50 billion **\$100,001 - \$500,000** □ \$100,000,001 - \$500 million ☐ More than \$50 billion □ \$500,001 - \$1 million Part 7: Sign Below I have examined this petition, and I declare under penalty of perjury that the information provided is true and correct. For you If I have chosen to file under Chapter 7, I am aware that I may proceed, if eligible, under Chapter 7, 11,12, or 13 of title 11, United States Code. I understand the relief available under each chapter, and I choose to proceed under Chapter 7. If no attorney represents me and I did not pay or agree to pay someone who is not an attorney to help me fill out this document, I have obtained and read the notice required by 11 U.S.C. § 342(b). I request relief in accordance with the chapter of title 11, United States Code, specified in this petition. I understand making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571. /s/ Dave J Upchurch /s/ Rachel V Upchurch Dave J Upchurch Rachel V Upchurch Signature of Debtor 1 Signature of Debtor 2 Executed on December 9, 2015 Executed on **December 9, 2015** MM / DD / YYYY MM / DD / YYYY

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Dahtan 1	Dave I I Inchurch	Document	Page 7 of 53	
Debtor 1 Debtor 2	Dave J Upchurch Rachel V Upchurch		Cas	se number (if known)
	attorney, if you are ted by one		ted States Code, and have	e informed the debtor(s) about eligibility to proceed explained the relief available under each chapter debtor(s) the notice required by 11 U.S.C. §
	not represented by ey, you do not need s page.	342(b) and, in a case in which § 707(b)(4)(D) in the schedules filed with the petition is inco		no knowledge after an inquiry that the information
		/s/ Charles L. Schmidt	Date	December 9, 2015
		Signature of Attorney for Debtor		MM / DD / YYYY
		Charles L. Schmidt		
		Printed name		
		Law Office of Charles L. Schmidt, Ltd	<u>1.                                    </u>	
		Firm name		
		117 W. Washington St.		
		Morris, IL 60450		
		Number, Street, City, State & ZIP Code		

Email address

Contact phone **815-942-0701** 

Bar number & State

cschmidt60450@gmail.com

Certificate Number: 03621-ILN-CC-026633888



## **CERTIFICATE OF COUNSELING**

I CERTIFY that on <u>December 7, 2015</u>, at <u>11:13</u> o'clock <u>AM EST</u>, <u>Dave J Upchurch</u> received from <u>Credit Card Management Services</u>, <u>Inc. d/b/a Debthelper.com</u>, an agency approved pursuant to 11 U.S.C. § 111 to provide credit counseling in the <u>Northern District of Illinois</u>, an individual [or group] briefing that complied with the provisions of 11 U.S.C. §§ 109(h) and 111.

A debt repayment plan <u>was not prepared</u>. If a debt repayment plan was prepared, a copy of the debt repayment plan is attached to this certificate.

This counseling session was conducted by internet.

Date: December 7, 2015 By: /s/Kenslande Jeanbart

Name: Kenslande Jeanbart

Title: Credit Counselor

<sup>\*</sup> Individuals who wish to file a bankruptcy case under title 11 of the United States Bankruptcy Code are required to file with the United States Bankruptcy Court a completed certificate of counseling from the nonprofit budget and credit counseling agency that provided the individual the counseling services and a copy of the debt repayment plan, if any, developed through the credit counseling agency. *See* 11 U.S.C. §§ 109(h) and 521(b).

Certificate Number: 03621-ILN-CC-026633890



## **CERTIFICATE OF COUNSELING**

I CERTIFY that on <u>December 7, 2015</u>, at <u>11:13</u> o'clock <u>AM EST</u>, <u>Rachel V Upchurch</u> received from <u>Credit Card Management Services</u>, <u>Inc. d/b/a Debthelper.com</u>, an agency approved pursuant to 11 U.S.C. § 111 to provide credit counseling in the <u>Northern District of Illinois</u>, an individual [or group] briefing that complied with the provisions of 11 U.S.C. §§ 109(h) and 111.

A debt repayment plan <u>was not prepared</u>. If a debt repayment plan was prepared, a copy of the debt repayment plan is attached to this certificate.

This counseling session was conducted by internet.

Date: December 7, 2015

By: /s/Kenslande Jeanbart

Name: Kenslande Jeanbart

Title: Credit Counselor

<sup>\*</sup> Individuals who wish to file a bankruptcy case under title 11 of the United States Bankruptcy Code are required to file with the United States Bankruptcy Court a completed certificate of counseling from the nonprofit budget and credit counseling agency that provided the individual the counseling services and a copy of the debt repayment plan, if any, developed through the credit counseling agency. *See* 11 U.S.C. §§ 109(h) and 521(b).

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Fill in this infor	mation to identify your	case:	
Debtor 1	Dave J Upchurch		
	First Name	Middle Name	Last Name
Debtor 2	Rachel V Upchure	ch	
(Spouse if, filing)	First Name	Middle Name	Last Name
United States Ba	ankruptcy Court for the:	NORTHERN DISTRICT OF I	LLINOIS

## Official Form 106Sum

Case number (if known)

### **Summary of Your Assets and Liabilities and Certain Statistical Information**

12/15

☐ Check if this is an amended filing

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. Fill out all of your schedules first; then complete the information on this form. If you are filing amended schedules after you file your original forms, you must fill out a new Summary and check the box at the top of this page.

Par	t 1: Summarize Your Assets			
		Your assets Value of what you own		
1.	Schedule A/B: Property (Official Form 106A/B)  1a. Copy line 55, Total real estate, from Schedule A/B	\$	112,000.00	
	1b. Copy line 62, Total personal property, from Schedule A/B	\$	57,025.00	
	1c. Copy line 63, Total of all property on Schedule A/B	\$	169,025.00	
Par	t 2: Summarize Your Liabilities			
			iabilities nt you owe	
2.	Schedule D: Creditors Who Have Claims Secured by Property (Official Form 106D)  2a. Copy the total you listed in Column A, Amount of claim, at the bottom of the last page of Part 1 of Schedule D	\$	213,796.00	
3.	Schedule E/F: Creditors Who Have Unsecured Claims (Official Form 106E/F) 3a. Copy the total claims from Part 1 (priority unsecured claims) from line 6e of Schedule E/F	\$	0.00	
	3b. Copy the total claims from Part 2 (nonpriority unsecured claims) from line 6j of Schedule E/F	\$	45,128.81	
	Your total liabilities	\$	258,924.81	
Par	t 3: Summarize Your Income and Expenses			
4.	Schedule I: Your Income (Official Form 106I) Copy your combined monthly income from line 12 of Schedule I	\$	4,805.75	
5.	Schedule J: Your Expenses (Official Form 106J) Copy your monthly expenses from line 22c of Schedule J	\$	4,802.78	
Par	t 4: Answer These Questions for Administrative and Statistical Records			
6.	Are you filing for bankruptcy under Chapters 7, 11, or 13?  No. You have nothing to report on this part of the form. Check this box and submit this form to the court with yo	ur other s	chedules.	
7.	■ Yes What kind of debt do you have?			

- Your debts are primarily consumer debts. Consumer debts are those "incurred by an individual primarily for a personal, family, or household purpose." 11 U.S.C. § 101(8). Fill out lines 8-9g for statistical purposes. 28 U.S.C. § 159.
- Your debts are not primarily consumer debts. You have nothing to report on this part of the form. Check this box and submit this form to the court with your other schedules.

Official Form 106Sum

Summary of Your Assets and Liabilities and Certain Statistical Information

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Debtor 2	Rachel V Upchurch	Case number (if known)	
	m the Statement of Your Current Monthly Income: Cop A-1 Line 11; OR, Form 122B Line 11; OR, Form 122C-1 L		\$ 6,002.88

Copy the following special categories of claims from Part 4, line 6 of Schedule E/F:

From Book Ann Only duly E/E annually following	Tota	l claim
From Part 4 on Schedule E/F, copy the following:		
9a. Domestic support obligations (Copy line 6a.)	\$_	0.00
9b. Taxes and certain other debts you owe the government. (Copy line 6b.)	\$_	0.00
9c. Claims for death or personal injury while you were intoxicated. (Copy line 6c.)	\$_	0.00
9d. Student loans. (Copy line 6f.)	\$_	0.00
9e. Obligations arising out of a separation agreement or divorce that you did not report as priority claims. (Copy line 6g.)	\$_	0.00
9f. Debts to pension or profit-sharing plans, and other similar debts. (Copy line 6h.)	+\$_	0.00
9g. <b>Total.</b> Add lines 9a through 9f.	\$	0.00

Debtor 1

Dave J Upchurch

Fill		Se 15-415	12 Doc 1	Doc	12/09/15 ument		15 08:37:3	30 Des	sc Main			
	otor 1	Dave J Up	church	dle Name	<b></b>	Last Name						
	otor 2 use, if filing)	Rachel V L	Jpchurch	dle Name		Last Name						
Unit	ed States Bar	nkruptcy Court f	for the: NORTHE	RN DIST	RICT OF ILLI	NOIS						
Cas	e number					_			☐ Check if this is a amended filing	ın		
		rm 106A/ <b>A/B: F</b>	∕B Property						12/15			
t fits	best. Be as co	mplete and accu	ırate as possible. If t	wo marrie	d people are fil	n asset fits in more than one ling together, both are equal litional pages, write your nan	ly responsible fo	or supplying	correct information. If			
Part	1: Describe E	ach Residence,	Building, Land, or O	ther Real	Estate You Ow	n or Have an Interest In						
. Do	you own or ha	ave any legal or e	equitable interest in	any reside	nce, building, l	and, or similar property?						
	No. Go to Part	2.										
_	Yes. Where is											
1.1				What	is the property	/? Check all that apply						
	222 N. Mer	rill St			Single-family I		Do not deduc	t secured cla	ims or exemptions. Put th	е		
	Street address, it	f available, or other of	description		Duplex or mul	ti-unit building	amount of an	ims on <i>Schedule D:</i>				
					Condominium or cooperative				Orcanors vvi	reditors Who Have Claims Secured by Property.		
				П	Manufactured	or mobile home						
	Braceville	IL	60407-9082	_	Land		Current valu entire prope		Current value of the portion you own?			
	City	State	e ZIP Code		Investment pro	operty	\$112	2,000.00	\$112,000.0	0		
								simple, tena	our ownership interest ancy by the entireties, or	,		
				wno		in the property? Check one	fee simple	•				
	Grundy				Debtor 2 only		<u> </u>					
	County			_	Debtor 1 and I	Debtor 2 only	_ Chastel	f thin in na	munity property			
					At least one of	f the debtors and another	(see instr		munity property			

property identification number: 222 N. Merrill Street, Braceville, IL

2. Add the dollar value of the portion you own for all of your entries from Part 1, including any entries for pages you have attached for Part 1. Write that number here......>>

\$112,000.00

Part 2: Describe Your Vehicles

Do you own, lease, or have legal or equitable interest in any vehicles, whether they are registered or not? Include any vehicles you own that someone else drives. If you lease a vehicle, also report it on Schedule G: Executory Contracts and Unexpired Leases.

Other information you wish to add about this item, such as local

Official Form 106A/B Schedule A/B: Property page 1 Case 15-41512 Doc 1 Filed 12/09/15 Entered 12/09/15 08:37:30 Desc Main Document Page 13 of 53

Debtor 2		ochurch Upchurch		Case number (if known)	
. Cars,	, vans, trucks, t	ractors, sport utility ve	ehicles, motorcycles		
□ No	)				
■ Ye	s				
M Y A	Make: Ford Model: F-150 Year: 2014 Approximate mileago Other information: 2014 F-150	e: <b>9000</b>	Who has an interest in the property? Check one  ☐ Debtor 1 only ☐ Debtor 2 only ☐ Debtor 1 and Debtor 2 only ☐ At least one of the debtors and another	the amount of any secu Creditors Who Have Cl Current value of the entire property?	claims or exemptions. Put tred claims on <i>Schedule D:</i> laims Secured by Property. Current value of the portion you own?
			☐ Check if this is community property (see instructions)	\$30,000.00	\$30,000.00
M Y A	Make: Kia Model: Caden /ear: 2014 Approximate mileag Other information: 2014 Kia Cade	e: <b>15000</b>	Who has an interest in the property? Check one  Debtor 1 only Debtor 2 only Debtor 1 and Debtor 2 only At least one of the debtors and another  Check if this is community property (see instructions)	the amount of any secu	claims or exemptions. Put ared claims on Schedule D: laims Secured by Property.  Current value of the portion you own?
N Y A	Make: Toyota Model: Coroll (ear: 1998 Approximate mileagother information:	a 454000	Who has an interest in the property? Check one  ☐ Debtor 1 only ☐ Debtor 2 only ☐ Debtor 1 and Debtor 2 only ☐ At least one of the debtors and another	the amount of any secu	claims or exemptions. Put ired claims on Schedule D: laims Secured by Property. Current value of the portion you own?
1	998 Toyota Co	orolla	☐ Check if this is community property (see instructions)	\$500.00	\$500.00
■ No □ Yes  5 Add page	ples: Boats, trailings s the dollar values you have atta	ers, motors, personal waters, motors, personal waters	and other recreational vehicles, other vehicles, a atercraft, fishing vessels, snowmobiles, motorcycle of the control of the c	e accessories any entries for	\$49,500.00
·			terest in any of the following items?		Current value of the portion you own? Do not deduct secured claims or exemptions.
Exan		oliances, furniture, linens  Ordinary house	s, china, kitchenware chold furnishings, including couch, beds, nces, including stove, refrigerator, washer		\$2,000.0

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Do you own or have any legal or equitable interest in any of the following?

Current value of the portion you own?

Do not deduct secured claims or exemptions.

#### 16. **Cash**

Examples: Money you have in your wallet, in your home, in a safe deposit box, and on hand when you file your petition

No

Case 15-41512 Doc 1 Filed 12/09/15 Entered 12/09/15 08:37:30 Desc Main Document Page 15 of 53 Debtor 1 **Dave J Upchurch** Rachel V Upchurch Debtor 2 Case number (if known) ☐ Yes..... 17. Deposits of money Examples: Checking, savings, or other financial accounts; certificates of deposit; shares in credit unions, brokerage houses, and other similar institutions. If you have multiple accounts with the same institution, list each. Institution name: ■ Yes..... Checking account at 5/3 Bank \$1,000.00 17.1. Saving account at 5/3 Bank \$25.00 17.2. 18. Bonds, mutual funds, or publicly traded stocks Examples: Bond funds, investment accounts with brokerage firms, money market accounts Institution or issuer name: ☐ Yes..... 19. Non-publicly traded stock and interests in incorporated and unincorporated businesses, including an interest in an LLC, partnership, and joint venture ■ No ☐ Yes. Give specific information about them..... Name of entity: % of ownership: 20. Government and corporate bonds and other negotiable and non-negotiable instruments Negotiable instruments include personal checks, cashiers' checks, promissory notes, and money orders. Non-negotiable instruments are those you cannot transfer to someone by signing or delivering them. ☐ Yes. Give specific information about them Issuer name: 21. Retirement or pension accounts Examples: Interests in IRA, ERISA, Keogh, 401(k), 403(b), thrift savings accounts, or other pension or profit-sharing plans □ No Yes. List each account separately. Type of account: Institution name: Pension Joint debtor is employed as a 911 dispatcher by the County of Grundy and is accruing benefits through the Illinois Municipal Retirement Fund (IMRF), a defined-benefit Unknown plan. 22. Security deposits and prepayments Your share of all unused deposits you have made so that you may continue service or use from a company Examples: Agreements with landlords, prepaid rent, public utilities (electric, gas, water), telecommunications companies, or others ■ No Institution name or individual: ☐ Yes. ..... 23. Annuities (A contract for a periodic payment of money to you, either for life or for a number of years) ■ No Issuer name and description. ☐ Yes.....

24. Interests in an education IRA, in an account in a qualified ABLE program, or under a qualified state tuition program.

26 U.S.C. §§ 530(b)(1), 529A(b), and 529(b)(1).

■ No Institution name and description. Separately file the records of any interests.11 U.S.C. § 521(c): ☐ Yes.....

25. Trusts, equitable or future interests in property (other than anything listed in line 1), and rights or powers exercisable for your benefit

☐ Yes. Give specific information about them...

Entered 12/09/15 08:37:30 Case 15-41512 Filed 12/09/15 Page 16 of 53 Document Debtor 1 **Dave J Upchurch** Rachel V Upchurch Debtor 2 Case number (if known) 26. Patents, copyrights, trademarks, trade secrets, and other intellectual property Examples: Internet domain names, websites, proceeds from royalties and licensing agreements ☐ Yes. Give specific information about them... 27. Licenses, franchises, and other general intangibles Examples: Building permits, exclusive licenses, cooperative association holdings, liquor licenses, professional licenses ■ No ☐ Yes. Give specific information about them... Current value of the Money or property owed to you? portion you own? Do not deduct secured claims or exemptions. 28. Tax refunds owed to you ■ No ☐ Yes. Give specific information about them, including whether you already filed the returns and the tax years...... 29. Family support Examples: Past due or lump sum alimony, spousal support, child support, maintenance, divorce settlement, property settlement ☐ Yes. Give specific information..... 30. Other amounts someone owes you Examples: Unpaid wages, disability insurance payments, disability benefits, sick pay, vacation pay, workers' compensation, Social Security benefits; unpaid loans you made to someone else ■ No ☐ Yes. Give specific information.. 31. Interests in insurance policies Examples: Health, disability, or life insurance; health savings account (HSA); credit, homeowner's, or renter's insurance ☐ Yes. Name the insurance company of each policy and list its value. Company name: Beneficiary: Surrender or refund value: 32. Any interest in property that is due you from someone who has died If you are the beneficiary of a living trust, expect proceeds from a life insurance policy, or are currently entitled to receive property because someone has died. ■ No ☐ Yes. Give specific information... 33. Claims against third parties, whether or not you have filed a lawsuit or made a demand for payment Examples: Accidents, employment disputes, insurance claims, or rights to sue ■ No ☐ Yes. Describe each claim....... 34. Other contingent and unliquidated claims of every nature, including counterclaims of the debtor and rights to set off claims ■ No ☐ Yes. Describe each claim....... 35. Any financial assets you did not already list ■ No ☐ Yes. Give specific information.. 36. Add the dollar value of all of your entries from Part 4, including any entries for pages you have attached \$1,025.00 for Part 4. Write that number here.....

Part 5: Describe Any Business-Related Property You Own or Have an Interest In. List any real estate in Part 1.

Doc 1

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Debtor 1	Dave J Upchurch	Document	Page 17 of 53	
Debtor 2	Rachel V Upchurch		Case number (if known)	
37. <b>Do you</b>	own or have any legal or equitable in	terest in any business-related pro	perty?	
	o to Part 6.			
Yes.	Go to line 38.			
				Current value of the portion you own?  Do not deduct secured claims or exemptions.
38. <b>Acco</b> u	ints receivable or commissions	you already earned		
☐ Yes.	Describe			
Exam ■ No	equipment, furnishings, and suples: Business-related computers,  Describe		opiers, fax machines, rugs, telephones, desks, o	chairs, electronic devices
☐ No	nery, fixtures, equipment, suppl  Describe	ies you use in business, and	tools of your trade	
	Auto mecha	nic tools used by debtor in	n his trade	\$2,400.00
41. Invent	cory			
☐ Yes.	Describe			
	sts in partnerships or joint vent	ures		
■ No □ Yes.	. Give specific information about the Name of er		% of ownership:	
43. <b>Custo</b>	mer lists, mailing lists, or other	compilations		
_	ur lists include personally identifiable	e information (as defined in 11 U.S.	C. § 101(41A))?	
	■ No □ Yes. Describe			
44. <b>Any b</b>	usiness-related property you dic	I not already list		
	Give specific information			
	the dollar value of all of your en art 5. Write that number here		ny entries for pages you have attached	\$2,400.00
	escribe Any Farm- and Commercial F you own or have an interest in farmland,		or Have an Interest In.	
-		able interest in any farm- or o	commercial fishing-related property?	
	. Go to Part 7. s. Go to line 47.			
-				

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Official Form 106A/B

Schedule A/B: Property

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Debtor 1 **Dave J Upchurch** Rachel V Upchurch Case number (if known) Debtor 2 Current value of the portion you own? Do not deduct secured claims or exemptions. Part 7: Describe All Property You Own or Have an Interest in That You Did Not List Above 53. Do you have other property of any kind you did not already list? Examples: Season tickets, country club membership ☐ Yes. Give specific information....... 54. Add the dollar value of all of your entries from Part 7. Write that number here ...... \$0.00 List the Totals of Each Part of this Form 55. Part 1: Total real estate, line 2 \$112,000.00 56. Part 2: Total vehicles, line 5 \$49,500.00 57. Part 3: Total personal and household items, line 15 \$4,100.00 Part 4: Total financial assets, line 36 \$1,025.00 59. Part 5: Total business-related property, line 45 \$2,400.00 Part 6: Total farm- and fishing-related property, line 52 \$0.00 61. Part 7: Total other property not listed, line 54 \$0.00 62. Total personal property. Add lines 56 through 61... \$57,025.00 Copy personal property total \$57,025.00

Official Form 106A/B Schedule A/B: Property

63. Total of all property on Schedule A/B. Add line 55 + line 62

page 7

\$169,025.00

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		Docume	HE TAUC 13 UT JO		
Fill in this infor	mation to identify your	case:			
Debtor 1	Dave J Upchurch				
	First Name	Middle Name	Last Name		
Debtor 2	Rachel V Upchur	ch			
(Spouse if, filing)	First Name	Middle Name	Last Name		
United States Ba	ankruptcy Court for the:	NORTHERN DISTRICT	OF ILLINOIS		
Case number					
(if known)				☐ Check if this amended fil	

### Official Form 106C

## Schedule C: The Property You Claim as Exempt

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. Using the property you listed on *Schedule A/B: Property* (Official Form 106A/B) as your source, list the property that you claim as exempt. If more space is needed, fill out and attach to this page as many copies of *Part 2: Additional Page* as necessary. On the top of any additional pages, write your name and case number (if known).

For each item of property you claim as exempt, you must specify the amount of the exemption you claim. One way of doing so is to state a specific dollar amount as exempt. Alternatively, you may claim the full fair market value of the property being exempted up to the amount of any applicable statutory limit. Some exemptions—such as those for health aids, rights to receive certain benefits, and tax-exempt retirement funds—may be unlimited in dollar amount. However, if you claim an exemption of 100% of fair market value under a law that limits the exemption to a particular dollar amount and the value of the property is determined to exceed that amount, your exemption would be limited to the applicable statutory amount.

Part 1: Identify the Property You Claim as Exempt

- 1. Which set of exemptions are you claiming? Check one only, even if your spouse is filing with you.
  - You are claiming state and federal nonbankruptcy exemptions. 11 U.S.C. § 522(b)(3)
  - ☐ You are claiming federal exemptions. 11 U.S.C. § 522(b)(2)
- 2. For any property you list on Schedule A/B that you claim as exempt, fill in the information below.

Brief description of the property and line on Schedule A/B that lists this property	Current value of the portion you own	Amo	ount of the exemption you claim	Specific laws that allow exemption
	Copy the value from Schedule A/B	Ched	ck only one box for each exemption.	
222 N. Merrill St Braceville, IL 60407-9082 Grundy County	\$112,000.00		\$0.00	735 ILCS 5/12-901
Line from Schedule A/B: 1.1			100% of fair market value, up to any applicable statutory limit	
2014 Ford F-150	\$30,000.00			735 ILCS 5/12-1001(c)
Line from Schedule A/B: 3.1			100% of fair market value, up to any applicable statutory limit	
1998 Toyota Corolla Line from Schedule A/B: 3.3	\$500.00			735 ILCS 5/12-1001(c)
Line from Scriedule AVB: 3.3			100% of fair market value, up to any applicable statutory limit	
Ordinary household furnishings, including couch, beds, chairs.	\$2,000.00		\$2,000.00	735 ILCS 5/12-1001(b)
Kitchen appliances, including stove, refrigerator, washer and dryer. Line from <i>Schedule A/B</i> : <b>6.1</b>			100% of fair market value, up to any applicable statutory limit	
TVs, computer, stereo.	\$1,000.00		\$1,000.00	735 ILCS 5/12-1001(b)
LINE HOLL SCHEUUIE AVB. 1.1			100% of fair market value, up to any applicable statutory limit	

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Rachel V Upchurch Debtor 2 Case number (if known) Brief description of the property and line on Current value of the Amount of the exemption you claim Specific laws that allow exemption Schedule A/B that lists this property portion you own Copy the value from Check only one box for each exemption. Schedule A/B Mossberg 500 shotgun, Ruger 735 ILCS 5/12-1001(b) \$900.00 \$900.00 SR22C, S&W M&P40, Ruge SR9C Line from Schedule A/B: 10.1 100% of fair market value, up to any applicable statutory limit Ordinary and necessary wearing 735 ILCS 5/12-1001(a) \$100.00 \$100.00 apparel 100% of fair market value, up to Line from Schedule A/B: 11.1 any applicable statutory limit Checking account at 5/3 Bank 735 ILCS 5/12-1001(b) \$1,000.00 \$1,500.00 Line from Schedule A/B: 17.1 100% of fair market value, up to any applicable statutory limit Saving account at 5/3 Bank 735 ILCS 5/12-1001(b) \$25.00 \$25.00 Line from Schedule A/B: 17.2 100% of fair market value, up to any applicable statutory limit Auto mechanic tools used by debtor 735 ILCS 5/12-1001(d) \$2,400.00 \$2,400.00 in his trade Line from Schedule A/B: 40.1 100% of fair market value, up to any applicable statutory limit Are you claiming a homestead exemption of more than \$155,675? (Subject to adjustment on 4/01/16 and every 3 years after that for cases filed on or after the date of adjustment.) Yes. Did you acquire the property covered by the exemption within 1,215 days before you filed this case? П No Yes

Debtor 1

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		Document Page	e 21 of 5	i3		
Fill in this informa	tion to identify you	ur case:				
Debtor 1	Dave J Upchure	ch				
	First Name	Middle Name Last Na	me		-	
Debtor 2 (Spouse if, filing)	First Name	urch  Middle Name Last Nar			-	
			ne .			
United States Bank	ruptcy Court for the	: NORTHERN DISTRICT OF ILLINOIS			-	
Case number						
(if known)					☐ Check	if this is an
					ameno	led filing
Official Form	106D					
		Who Have Claims See	rod by	Droport	.,	40/45
Schedule D	. Creditors	Who Have Claims Secu	ned by	Propert	у	12/15
		f two married people are filing together, both ar , number the entries, and attach it to this form.				
1. Do any creditors ha	ve claims secured by	your property?				
□ No. Check th	nis box and submit t	this form to the court with your other schedu	les. You hav	e nothing else	to report on this form.	
Yes. Fill in a	II of the information	below.				
Part 1: List All S	Secured Claims					
2. List all secured cla	ims. If a creditor has n	nore than one secured claim, list the creditor separ	ately for Col	umn A	Column B	Column C
		particular claim, list the other creditors in Part 2. As ler according to the creditor's name.		ount of claim not deduct the	Value of collateral that supports this	Unsecured portion
	·	•	valu	ue of collateral.	claim	If any
2.1 Citizens On Creditor's Name	e Auto Fin	Describe the property that secures the claim:		\$39,515.00	\$19,000.00	\$20,515.00
Creditor's Name		2014 Kia Cadenza				
480 Jefferso		As of the date you file, the claim is: Check all the apply.	at			
Warwick, RI	02886	Contingent				
Number, Street, Ci	ty, State & Zip Code	Unliquidated				
Who owes the debt	? Check one	☐ Disputed  Nature of lien. Check all that apply.				
Debtor 1 only	- Chook one.	■ An agreement you made (such as mortgage	or secured			
☐ Debtor 2 only		car loan)	oi secureu			
■ Debtor 1 and Debto	or 2 only	☐ Statutory lien (such as tax lien, mechanic's lie	en)			
At least one of the		☐ Judgment lien from a lawsuit				
☐ Check if this clain community debt	n relates to a	Other (including a right to offset)				
community debt						
	Opened					
	3/01/15 Last Active					
Date debt was incurre		Last 4 digits of account number 9	661			
2.2 Fifth Third B	3ank	Describe the property that secures the claim:	\$	131,334.00	\$112,000.00	\$19,334.00
Creditor's Name		222 N. Merrill St Braceville, IL				
		60407-9082 Grundy County				
5050 Kingsl	ey Drive	As of the date you file, the claim is: Check all the apply.	ıat			
Cincinnati,		Contingent				
Number, Street, Ci	ty, State & Zip Code	☐ Unliquidated				
Who owes the debt	2 Chack and	☐ Disputed  Nature of lien. Check all that apply.				
Debtor 1 only	E OHECK UHE.		or ooo			
Debtor 2 only		An agreement you made (such as mortgage car loan)	oi secured			
■ Debtor 1 and Debto	or 2 only	☐ Statutory lien (such as tax lien, mechanic's lie	en)			

☐ Judgment lien from a lawsuit

lacksquare At least one of the debtors and another

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Debtor 1 Dave J Up	church		(	Case number (if know)			
First Name	Middle Na	ame Last Name		_			
Debtor 2 Rachel V I	Upchurch						
First Name	Middle Na	ame Last Name					
☐ Check if this claim re community debt	lates to a	Other (including a right to offset)					
Date debt was incurred	Opened 5/01/09 Last Active 10/21/15	Last 4 digits of account number	8651				
2.3 Ford Motor Cr		Describe the property that secures the	claim:	\$42,947.00	\$30,000.00	\$12,947.00	
Creditor's Name		2014 Ford F-150					
Po Box Box 54 Omaha, NE 68		As of the date you file, the claim is: Che apply.	ck all that				
Number, Street, City, S	State & Zip Code	☐ Unliquidated					
Who owes the debt? C	heck one	☐ Disputed  Nature of lien. Check all that apply.					
Debtor 1 only		_					
Debtor 2 only		An agreement you made (such as mortgage or secured car loan)					
■ Debtor 1 and Debtor 2	only	☐ Statutory lien (such as tax lien, mechan	nic's lien)				
☐ At least one of the deb	tors and another	☐ Judgment lien from a lawsuit					
☐ Check if this claim re community debt	lates to a	Other (including a right to offset)					
Date debt was incurred	Opened 5/01/15 Last Active 11/20/15	Last 4 digits of account number	9939				
	of your form, add t	olumn A on this page. Write that number l he dollar value totals from all pages.	here:	\$213,796.00 \$213,796.00	_		
Part 2: List Others t	o Be Notified fo	r a Debt That You Already Listed					
Use this page only if you to collect from you for a	have others to be debt you owe to s bts that you listed this page.	notified about your bankruptcy for a debomeone else, list the creditor in Part 1, ar in Part 1, list the additional creditors her	nd then list t	he collection agency here. S	imilarly, if you have n	nore than one	
-NONE-	•	On	which line	e in Part 1 did you ent	er the creditor?		
		Las	t 4 digits	of account number			

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Desc Main Page 23 of 53 Document Fill in this information to identify your case: Debtor 1 **Dave J Upchurch** Middle Name Last Name First Name Debtor 2 Rachel V Upchurch (Spouse if, filing) Middle Name Last Name NORTHERN DISTRICT OF ILLINOIS United States Bankruptcy Court for the: Case number (if known) ☐ Check if this is an amended filing Official Form 106E/F Schedule E/F: Creditors Who Have Unsecured Claims 12/15 Be as complete and accurate as possible. Use Part 1 for creditors with PRIORITY claims and Part 2 for creditors with NONPRIORITY claims. List the other party to any executory contracts or unexpired leases that could result in a claim. Also list executory contracts on Schedule A/B: Property (Official Form 106A/B) and on Schedule G: Executory Contracts and Unexpired Leases (Official Form 106G). Do not include any creditors with partially secured claims that are listed in Schedule D: Creditors Who Have Claims Secured by Property. If more space is needed, copy the Part you need, fill it out, number the entries in the boxes on the left. Attach the Continuation Page to this page. If you have no information to report in a Part, do not file that Part. On the top of any additional pages, write your name and case number (if known). Part 1: List All of Your PRIORITY Unsecured Claims 1. Do any creditors have priority unsecured claims against you? No. Go to Part 2. ☐ Yes. Part 2: List All of Your NONPRIORITY Unsecured Claims 3. Do any creditors have nonpriority unsecured claims against you? ☐ No. You have nothing to report in this part. Submit this form to the court with your other schedules. List all of your nonpriority unsecured claims in the alphabetical order of the creditor who holds each claim. If a creditor has more than one nonpriority unsecured claim, list the creditor separately for each claim. For each claim listed, identify what type of claim it is. Do not list claims already included in Part 1. If more than one creditor holds a particular claim, list the other creditors in Part 3. If you have more than three nonpriority unsecured claims fill out the Continuation Page of Part 2. Total claim 4.1 Best Buy/cbna \$772.00 Last 4 digits of account number 8128 Nonpriority Creditor's Name Opened 3/01/15 Last Active 50 Northwest Point Road When was the debt incurred? 10/05/15 Elk Grove Village, IL 60007 Number Street City State Zlp Code As of the date you file, the claim is: Check all that apply Who incurred the debt? Check one. ☐ Contingent ■ Debtor 1 only ■ Unliquidated Debtor 2 only ☐ Disputed ☐ Debtor 1 and Debtor 2 only Type of NONPRIORITY unsecured claim: ☐ At least one of the debtors and another ☐ Student loans ☐ Check if this claim is for a community debt ☐ Obligations arising out of a separation agreement or divorce that you did not Is the claim subject to offset? report as priority claims

■ No

☐ Yes

☐ Debts to pension or profit-sharing plans, and other similar debts

■ Other. Specify Charge Account

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DIOI 2	Rachel V Upchurch		Case number (if know)				
	Cap1/Menards Nonpriority Creditor's Name	Last 4 digits of account number	5713	\$152.00			
	Po Box 30253 Salt Lake City, UT 84130	When was the debt incurred?	Opened 4/01/14 Last Active 9/27/15				
	Number Street City State Zlp Code	As of the date you file, the claim i	s: Check all that apply				
_	Who incurred the debt? Check one.  ☐ Debtor 1 only	☐ Contingent					
ı	■ Debtor 2 only	☐ Unliquidated					
	Debtor 1 and Debtor 2 only	☐ Disputed					
_	☐ At least one of the debtors and another	Type of NONPRIORITY unsecured	d claim:				
I	☐ At least one of the debtors and another  ☐ Check if this claim is for a community debt  Is the claim subject to offset?	☐ Student loans ☐ Obligations arising out of a sepa report as priority claims	ration agreement or divorce that you did not				
	No	Debts to pension or profit-sharin	a plans, and other similar debts				
	■ No  Yes	■ Other. Specify Charge Acc					
3 (	Choice Recovery, Inc.	Last 4 digits of account number	5098	\$812.66			
	Nonpriority Creditor's Name 1550 Old Henderson Rd., Suite 100	When was the debt incurred?	April 2015	*******			
	Columbus, OH 43220-3662 Number Street City State Zlp Code	As of the date you file, the claim i	s: Check all that apply				
	Who incurred the debt? Check one.	_					
I	Debtor 1 only	☐ Contingent					
I	Debtor 2 only	☐ Unliquidated					
I	Debtor 1 and Debtor 2 only	☐ Disputed  Type of NONPRIORITY unsecured	1 claim:				
I	☐ At least one of the debtors and another	☐ Student loans					
	☐ Check if this claim is for a community debt	_	ration agreement or divorce that you did not				
- 1	■ No	Debts to pension or profit-sharin	g plans, and other similar debts				
ı	☐ Yes	Original creation of the Control of	editor Brightmore Physical				
	Citi	Last 4 digits of account number	3279	\$8,145.00			
ı	Nonpriority Creditor's Name Po Box 6241	When was the debt incurred?	Opened 3/01/13 Last Active 9/21/15				
	Sioux Falls, SD 57117  Number Street City State Zlp Code	As of the date you file, the claim i	or Check all that apply				
	Who incurred the debt? Check one.	_	S. Oneok all that apply				
	Debtor 1 only	☐ Contingent					
ı	Debtor 2 only	Unliquidated					
_	■ Debtor 1 and Debtor 2 only	Disputed	A statum				
	☐ At least one of the debtors and another	Type of NONPRIORITY unsecured  ☐ Student loans					
Ī	☐ Check if this claim is for a community debt						
	No	☐ Debts to pension or profit-sharing plans, and other similar debts					

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Debto	Rachel V Upchurch		Case number (if know)					
4.5	Citi Nonpriority Creditor's Name	Last 4 digits of account number	6842	\$7,347.00				
	Pob 6241 Sioux Falls, SD 57117	When was the debt incurred?	Opened 2/01/15 Last Active 10/15/15					
	Number Street City State Zlp Code Who incurred the debt? Check one.	As of the date you file, the claim i						
	■ Debtor 1 only	☐ Unliquidated						
	☐ Debtor 2 only	Disputed						
	☐ Debtor 1 and Debtor 2 only	Type of NONPRIORITY unsecured	I claim:					
	☐ At least one of the debtors and another	☐ Student loans						
	☐ Check if this claim is for a community debt Is the claim subject to offset?	☐ Obligations arising out of a sepa report as priority claims	ration agreement or divorce that you did not					
	■ No	☐ Debts to pension or profit-sharin	g plans, and other similar debts					
	Yes	Other. Specify Credit Card	<u> </u>					
4.6	Citi Nonpriority Creditor's Name	Last 4 digits of account number	7691	\$2,231.00				
	Pob 6241 Sioux Falls, SD 57117	When was the debt incurred?	Opened 10/01/10 Last Active 9/17/15					
	Number Street City State Zlp Code	As of the date you file, the claim i	s: Check all that apply					
	Who incurred the debt? Check one.	По и						
	☐ Debtor 1 only	☐ Contingent						
	Debtor 2 only	☐ Unliquidated						
	■ Debtor 1 and Debtor 2 only	Disputed	Type of NONPRIORITY unsecured claim:					
	☐ At least one of the debtors and another	Student loans	i ciaim:					
	☐ Check if this claim is for a community debt							
	Is the claim subject to offset?	Obligations arising out of a sepa report as priority claims						
	■ No	Debts to pension or profit-sharin						
	Yes	Other Specify Credit Card						
4.7	Citi-shell	Last 4 digits of account number	1416	\$799.00				
	Nonpriority Creditor's Name Po Box 6497 Sioux Falls, SD 57117	When was the debt incurred?	Opened 5/01/13 Last Active 10/05/15					
	Number Street City State Zlp Code	As of the date you file, the claim i	s: Check all that apply					
	Who incurred the debt? Check one.	☐ Contingent ☐ Unliquidated ☐ Disputed  Type of NONPRIORITY unsecured claim: ☐ Student loans						
	☐ Debtor 1 only							
	☐ Debtor 2 only							
	■ Debtor 1 and Debtor 2 only							
	☐ At least one of the debtors and another							
	☐ Check if this claim is for a community debt Is the claim subject to offset?							
	■ No							
	Yes	■ Other. Specify Credit Card	i					
		_ Other. opcomy						

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	2 Rachel V Upchurch		Case number (if know)	
1.8	Creditors Discount & A	Last 4 digits of account number	4951	\$150.00
	Nonpriority Creditor's Name 415 E Main St Streator, IL 61364	When was the debt incurred?	Opened 8/01/12	
	Number Street City State Zlp Code	As of the date you file, the claim i	is: Check all that apply	
	Who incurred the debt? Check one.	☐ Contingent		
	☐ Debtor 1 only	☐ Unliquidated		
	Debtor 2 only	☐ Disputed		
	☐ Debtor 1 and Debtor 2 only	Type of NONPRIORITY unsecure	d claim:	
	☐ At least one of the debtors and another	☐ Student loans		
	☐ Check if this claim is for a community debt Is the claim subject to offset?	Obligations arising out of a separeport as priority claims	aration agreement or divorce that you did not	
	No	Debts to pension or profit-sharing	ng plans, and other similar debts	
	Yes	■ Other. Specify Collection	Attorney Morris Hospital	
1.9	Creditors Discount and Audit	Last 4 digits of account number	0677	\$372.15
	Nonpriority Creditor's Name 415 E. Main St., PO Box 213 Streator, IL 61364-0213	When was the debt incurred?	March 2015	
	Number Street City State Zlp Code	As of the date you file, the claim i	is: Check all that apply	
	Who incurred the debt? Check one.	☐ Contingent		
	☐ Debtor 1 only	☐ Unliquidated		
	Debtor 2 only	☐ Disputed		
	☐ Debtor 1 and Debtor 2 only	Type of NONPRIORITY unsecure	d claim:	
	At least one of the debtors and another	☐ Student loans		
	☐ Check if this claim is for a community debt Is the claim subject to offset?	☐ Obligations arising out of a separeport as priority claims	aration agreement or divorce that you did not	
	■ No	Debts to pension or profit-sharing	ng plans, and other similar debts	
	Yes	Other. Specify Future Dia	gnostice Group original creditor	
.10	Fnb Omaha/ Visa	Last 4 digits of account number	0001	\$12,938.00
	Nonpriority Creditor's Name		Opened 4/01/14 Last Active	
	Po Box 3412 Omaha, NE 68103	When was the debt incurred?	10/09/15	
	Number Street City State Zlp Code	As of the date you file, the claim i	is: Check all that apply	
	Who incurred the debt? Check one.	☐ Contingent		
	Debtor 1 only	☐ Unliquidated		
	Debtor 2 only	☐ Disputed		
	Debtor 1 and Debtor 2 only	Type of NONPRIORITY unsecure	d claim:	
At least one of the debtors and another		☐ Student loans		
	☐ Check if this claim is for a community debt Is the claim subject to offset?	report as priority claims	aration agreement or divorce that you did not	
	■ No	Debts to pension or profit-sharing		
	Yes	■ Other. Specify Credit Care	d	

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Kohls/capone Nonpriority Creditor's Name	Last 4 digits of account number	0041	\$129.00
N56 W 17000 Ridgewood Dr Menomonee Falls, WI 53051	When was the debt incurred?	Opened 7/01/13 Last Active 10/11/15	
Number Street City State Zlp Code	As of the date you file, the claim i	s: Check all that apply	
Who incurred the debt? Check one.	☐ Contingent		
☐ Debtor 1 only	☐ Unliquidated		
Debtor 2 only	☐ Disputed		
☐ Debtor 1 and Debtor 2 only	Type of NONPRIORITY unsecured	d claim:	
☐ At least one of the debtors and another	☐ Student loans		
☐ Check if this claim is for a community debt		ration agreement or divorce that you did not	
■ No	☐ Debts to pension or profit-sharin	g plans, and other similar debts	
Yes	Other. Specify Charge Acc	count	
Syncb/sams Club Dc	Last 4 digits of account number	7917	\$5,957.00
Nonpriority Creditor's Name		On an all 0/04/44   and Antina	
Po Box 965005 Orlando, FL 32896	When was the debt incurred?	Opened 8/01/14 Last Active 10/04/15	
Number Street City State Zlp Code	As of the date you file, the claim i	s: Check all that apply	
Who incurred the debt? Check one.	☐ Contingent		
☐ Debtor 1 only	☐ Unliquidated		
☐ Debtor 2 only	☐ Disputed		
■ Debtor 1 and Debtor 2 only	Type of NONPRIORITY unsecured	d claim:	
☐ At least one of the debtors and another	☐ Student loans		
☐ Check if this claim is for a community debt	_	ration agreement or divorce that you did not	
Is the claim subject to offset?	report as priority claims	agreement of arreise and year are not	
■ No	Debts to pension or profit-sharin	g plans, and other similar debts	
Yes	Other. Specify Credit Card	<u> </u>	
Syncb/value City Furni	Last 4 digits of account number	6518	\$957.00
Nonpriority Creditor's Name  C/o Po Box 965036  Orlando, El 33806	When was the debt incurred?	Opened 11/01/13 Last Active 10/01/15	
Orlando, FL 32896  Number Street City State Zlp Code	As of the date you file, the claim i	e. Chock all that apply	
Who incurred the debt? Check one.	— — — — — — — — — — — — — — — — — — —	3. Offect all that apply	
Debtor 1 only	☐ Contingent		
■ Debtor 2 only	☐ Unliquidated		
Debtor 1 and Debtor 2 only	Disputed		
At least one of the debtors and another	Type of NONPRIORITY unsecured	d claim:	
☐ Check if this claim is for a community debt	Student loans		
Is the claim subject to offset?	report as priority claims	ration agreement or divorce that you did not	
No	☐ Debts to pension or profit-sharin	01	
☐ Yes	Other. Specify Charge Ac	count	

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Debtor	1 Dave J Upchurch	3.5					
Debtor	2 Rachel V Upchurch		Case number (if know)				
4.14	Syncb/walmart	Last 4 digits of account numbe	r <u>0787</u>	\$4,367.00			
	Nonpriority Creditor's Name	_					
	Po Box 965024	When was the debt incurred?	Opened 4/01/12 Last Active 10/05/15				
	Orlando, FL 32896	when was the debt incurred?	10/05/15				
	Number Street City State Zlp Code	As of the date you file, the clair	n is: Check all that apply				
	Who incurred the debt? Check one.	Пол					
	■ Debtor 1 only	☐ Contingent					
	Debtor 2 only	☐ Unliquidated					
	_	☐ Disputed					
	Debtor 1 and Debtor 2 only	Type of NONPRIORITY unsecured claim:					
	☐ At least one of the debtors and another	☐ Student loans					
	☐ Check if this claim is for a community debt Is the claim subject to offset?	☐ Obligations arising out of a se report as priority claims	☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims				
	No	Debts to pension or profit-sha	ring plans, and other similar debts				
	Yes	Other. Specify Charge A	ccount				
Part 3:	List Others to Be Notified About a Deb	t That You Already Listed					
trying more	nis page only if you have others to be notified about to collect from you for a debt you owe to someouthan one creditor for any of the debts that you lisebts in Parts 1 or 2, do not fill out or submit this p	ne else, list the original creditor in f ted in Parts 1 or 2, list the additiona	Parts 1 or 2, then list the collection agency here.	Similarly, if you have			
		on which entry in Part 1 or Part 2 did you list the original creditor? ine of (Check one): Part 1: Creditors with Priority Unsecured Claims Part 2: Creditors with Nonpriority Unsecured Claims					
	L	ast 4 digits of account number					

#### Part 4: Add the Amounts for Each Type of Unsecured Claim

6. Total the amounts of certain types of unsecured claims. This information is for statistical reporting purposes only. 28 U.S.C. §159. Add the amounts for each type of unsecured claim.

				Total claim	
	6a.	Domestic support obligations	6a.	\$	0.00
Total claims					
from Part 1	6b.	Taxes and certain other debts you owe the government	6b.	\$	0.00
	6c.	Claims for death or personal injury while you were intoxicated	6c.	\$	0.00
	6d.	Other. Add all other priority unsecured claims. Write that amount here.	6d.	\$	0.00
	6e.	Total. Add lines 6a through 6d.	6e.	\$	0.00
				Total Claim	
	6f.	Student loans	6f.	\$	0.00
Total claims					
from Part 2	6g.	Obligations arising out of a separation agreement or divorce that you did not report as priority claims	6g.	\$	0.00
	6h.	Debts to pension or profit-sharing plans, and other similar debts	6h.	\$	0.00
	6i.	Other. Add all other nonpriority unsecured claims. Write that amount here.	6i.	\$	45,128.81
	6j.	Total. Add lines 6f through 6i.	6j.	\$	45,128.81

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Page 29 of 53 Document Fill in this information to identify your case: Debtor 1 **Dave J Upchurch** Middle Name Last Name First Name Debtor 2 Rachel V Upchurch (Spouse if, filing) Middle Name Last Name NORTHERN DISTRICT OF ILLINOIS United States Bankruptcy Court for the: Case number (if known)

☐ Check if this is an amended filing

### Official Form 106G

### **Schedule G: Executory Contracts and Unexpired Leases**

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, copy the additional page, fill it out, number the entries, and attach it to this page. On the top of any additional pages, write your name and case number (if known).

- 1. Do you have any executory contracts or unexpired leases?
  - No. Check this box and file this form with the court with your other schedules. You have nothing else to report on this form.
  - Tyes. Fill in all of the information below even if the contacts of leases are listed on Schedule A/B:Property (Official Form 106 A/B).
- List separately each person or company with whom you have the contract or lease. Then state what each contract or lease is for (for example, rent, vehicle lease, cell phone). See the instructions for this form in the instruction booklet for more examples of executory contracts and unexpired leases.

1	Person or	company wit Name, Numb	h whom you have the co	ntract or lease	State what the contract or lease is for
2.1					
	Name				_
	Number	Street			_
	City		State	ZIP Code	
2.2					
	Name				<del>-</del>
	Number	Street			_
	City		State	ZIP Code	_
2.3	<u>,                                      </u>		·		
	Name				_
	Number	Street			_
	City		State	ZIP Code	_
2.4					
	Name				_
	Number	Street			_
	City		State	ZIP Code	_
2.5					
	Name				_
	Number	Street			_
	City		State	ZIP Code	_
	•				

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	Case 15-41512	Docume Docume		12/03/13 00.37.30 nf 53	Desc Main
Fill in this	s information to identify yo				
Debtor 1	Dave J Upchure	ch			
	First Name	Middle Name	Last Name		
Debtor 2	Rachel V Upch		Last Mana		
(Spouse if, fili	ing) First Name	Middle Name	Last Name		
United Sta	ates Bankruptcy Court for the	: NORTHERN DISTRICT	OF ILLINOIS		
Case num	ber				
(if known)					☐ Check if this is an
					amended filing
Officia	Form 1064				
	I Form 106H				
sched	lule H: Your Co	debtors			12/15
our name	and case number (if know you have any codebtors?	n). Answer every question	).	, ,	of any Additional Pages, write
■ No □ Yes					
□ 163	5				
	hin the last 8 years, have y na, California, Idaho, Louisia				tates and territories include
■ No	. Go to line 3.				
	. Go to line 3. s. Did your spouse, former sp	oouse, or legal equivalent liv	e with you at the time?		
	5. 2.a year epeace, remier of	oodoo, o. logal oquitaloit iii	o man you at ano anno i		
in line Form	e 2 again as a codebtor onl	y if that person is a guara	ntor or cosigner. Make	sure you have listed the	with you. List the person shown creditor on Schedule D (Officia chedule E/F, or Schedule G to
	Column 1: Your codebtor Name, Number, Street, City, State and	d ZIP Code		Column 2: The credit Check all schedules the	or to whom you owe the debt hat apply:
3.1				☐ Schedule D, line	
	Name			☐ Schedule E/F, line	
				☐ Schedule G, line	
-	Number Street				
	City	State	ZIP Code		
3.2				☐ Schedule D, line	
	Name			☐ Schedule E/F, line	
				☐ Schedule G, line	

Street

State

Number

City

ZIP Code

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Fill	in this information to identify you	ır case:					1				
	btor 1 Dave J U										
Debtor 2 Rachel V Upchurch (Spouse, if filing)											
Uni	ited States Bankruptcy Court for	the: NORTHERN DISTRIC	CT OF IL	LINOIS							
	se number nown)		-				☐ An ☐ A s		d filing ent show	ving postpetitions following date	•
0	fficial Form 106I						MM	1 / DD/ Y	YYY		
S	chedule I: Your In	come						.,			12/15
spo atta Par	plying correct information. If y use. If you are separated and ch a separate sheet to this for the control of t	your spouse is not filing w m. On the top of any addit	ith you,	do not inclu	ıde infor	mati	ion about y	your spo	ouse. If	more space i	s needed,
1.	Fill in your employment information.		Debtor 1				Debtor 2 or non-filing spouse				
	If you have more than one job	Employment status	■ Employed				■ Employed				
	attach a separate page with information about additional		☐ Not employed				☐ Not employed				
	employers.	Occupation	Mech	Mechanic			911 Dispatcher				
	Include part-time, seasonal, or self-employed work.	Employer's name	Septran, Inc.			Grui			ndy County ETSB		
	Occupation may include stude or homemaker, if it applies.	nt Employer's address	22544 W. 143rd Street Plainfield, IL 60544				78 W. Lowery Morris, IL 60450				
		How long employed t	here?	since J	uly 6, 2	015		s	ince N	ov. 4, 2014	
Pai	rt 2: Give Details About I	Monthly Income									
	mate monthly income as of thuse unless you are separated.	e date you file this form.  f	you have	e nothing to I	report for	any	line, write	\$0 in the	space.	Include your r	non-filing
-	ou or your non-filing spouse have e space, attach a separate shee		ombine t	he information	on for all	emp	loyers for th	hat perso	on on th	e lines below.	If you need
							For Debte	or 1		ebtor 2 or iling spouse	
2.	List monthly gross wages, s deductions). If not paid month				2.	\$	3,1	20.00	\$	3,060.57	<b>,</b> _
3.	Estimate and list monthly or	ertime pay.			3.	+\$		0.00	+\$_	0.00	<u>)</u>

3,120.00

3,060.57

4. Calculate gross Income. Add line 2 + line 3.

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Debtor 1 Debtor 2		Dave J Upchurch Rachel V Upchurch	_		Case	e number ( <i>if kn</i>	own)				
	Cor	ry line 4 here	4.		Fo \$	or Debtor 1 3,120			Debtor 2		
	COL	y line 4 here	4.	•	Ψ_	3,120	.00	Ψ		00.57	
5.	List	all payroll deductions:									
	5a.	Tax, Medicare, and Social Security deductions	5	a.	\$	639	.30	\$	Ę	597.78	
	5b.	Mandatory contributions for retirement plans	51	b.	\$	0	.00	\$	1	137.74	
	5c.	Voluntary contributions for retirement plans	50	c.	\$	0	.00	\$		0.00	
	5d.	Required repayments of retirement fund loans	50	d.	\$_		.00	\$		0.00	
	5e.	Insurance		e.	\$_		0.00	\$		0.00	
	5f.	Domestic support obligations	5f		\$_		.00	\$		0.00	
	5g.	Union dues	50	-	\$_		.00	\$		0.00	
	5h.	Other deductions. Specify:	51	h.+	\$_	C	.00	+ \$		0.00	
6.	Add	the payroll deductions. Add lines 5a+5b+5c+5d+5e+5f+5g+5h.	6.	•	\$_	639	.30	\$	7	735.52	
7.	Cal	culate total monthly take-home pay. Subtract line 6 from line 4.	7.		\$_	2,480	.70	\$	2,3	325.05	
8.	8a. 8b.	all other income regularly received:  Net income from rental property and from operating a business, profession, or farm  Attach a statement for each property and business showing gross receipts, ordinary and necessary business expenses, and the total monthly net income.  Interest and dividends	8a 8l		\$_ \$_		0.00	\$ \$		0.00	
	8c.	Family support payments that you, a non-filing spouse, or a depender regularly receive Include alimony, spousal support, child support, maintenance, divorce settlement, and property settlement.	80		\$_		0.00	\$		0.00	
	8d.	Unemployment compensation	80	d.	\$_		.00	\$		0.00	
	8e.	Social Security	86	e.	\$_	0	0.00	\$		0.00	
	8f.	Other government assistance that you regularly receive Include cash assistance and the value (if known) of any non-cash assistan that you receive, such as food stamps (benefits under the Supplemental Nutrition Assistance Program) or housing subsidies. Specify:  Pension or retirement income	8f		\$_ \$		0.00	\$		0.00	·
	8g. 8h.	Other monthly income. Specify:	8( 81	y. h.+	*		0.00	· ·		0.00	
	OII.	outer montally meeting. Openly.	0		Ψ_		.00	`		0.00	
9.	Add	all other income. Add lines 8a+8b+8c+8d+8e+8f+8g+8h.	9.	. [	\$_	0	0.00	\$		0.00	
10.		culate monthly income. Add line 7 + line 9. the entries in line 10 for Debtor 1 and Debtor 2 or non-filing spouse.	10.	\$_		2,480.70	+ \$	2,3	325.05	= \$	4,805.75
		<u> </u>		_							
11.	Inclu othe Do i	e all other regular contributions to the expenses that you list in Schedulude contributions from an unmarried partner, members of your household, your friends or relatives.  not include any amounts already included in lines 2-10 or amounts that are noticity:	our dep					,	Schedule 11.		0.00
12.		the amount in the last column of line 10 to the amount in line 11. The re that amount on the Summary of Schedules and Statistical Summary of Certies							12.	\$	4,805.75
13.	Do	you expect an increase or decrease within the year after you file this for	m?							Combir monthly	ned y income
		No. Yes. Explain:									

Fill	in this informa	ation to identify y	our case:								
Deb	tor 1	Dave J Upch	urch			Che	eck if this is:				
	otor 2 ouse, if filing)	Rachel V Up	church		☐ An amended filing ☐ A supplement showing postpetition chapted 13 expenses as of the following date:						
Unit	ed States Bankı	ruptcy Court for the:	: NORTH	ERN DISTRICT OF ILLIN	IOIS		MM / DD / YYYY				
	Case number										
	nown)										
		orm 106J									
		J: Your						12/15			
info	ormation. If n		eded, atta	. If two married people a nch another sheet to this n.							
Par		ribe Your House	ehold								
1.	Is this a joi ☐ No. Go to										
		o line 2. es Debtor 2 live	in a separ	ate household?							
	= 105. <b>5</b> 6.		и сори.								
		-	st file Offic	ial Form 106J-2, <i>Expense</i>	s for Separate Hous	ehold of De	ebtor 2.				
2.	Do you hav	e dependents?	□ No								
	Do not list D and Debtor		■ Yes.	Fill out this information for each dependent	Dependent's relati		Dependent's age	Does dependent live with you?			
	Do not state							□ No			
	dependents	names.			Son		16	■ Yes □ No			
								☐ Yes			
								□ No			
							_	Yes			
								□ No			
3.	Do vour ex	penses include	_	Na			_	☐ Yes			
	expenses of	of people other to d your depende	han $_{\square}$	No Yes							
Part 2: Estimate Your Ongoing Monthly Expenses  Estimate your expenses as of your bankruptcy filing date unless you are using this form as a supplement in a Chapter 13 case to report expenses as of a date after the bankruptcy is filed. If this is a supplemental <i>Schedule J</i> , check the box at the top of the form and fill in the applicable date.											
the		h assistance an		government assistance cluded it on <i>Schedule I:</i>			Your exp	penses			
4.											
		ded in line 4:	J :								
						40	¢	0.00			
		estate taxes erty, homeowner's	s. or renter	's insurance		4a. 4b.	·	0.00			
	•	•		upkeep expenses		4c.	·	0.00			
	4d. Home	eowner's associa	tion or con	dominium dues		4d.		0.00			
5.	Additional	mortgage payme	ents for yo	our residence, such as ho	ome equity loans	5.	\$	0.00			

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Debtor 1 Debtor 2			Jpchurch / Upchurch	Case num	Case number (if known)				
6.	Utiliti	ioe:							
0.	6a.		, heat, natural gas	6a.	\$	140.00			
	6b.	•	wer, garbage collection	6b.	·	50.00			
	6c.	,	e, cell phone, Internet, satellite, and cable services	6c.		193.00			
	6d.		ecify: Drinking water	6d.		50.00			
7.	Food		ekeeping supplies		\$	1,100.00			
8.	Child	lcare and c	children's education costs	8.	\$	25.00			
9.	Cloth	ning, laund	ry, and dry cleaning	9.	\$	0.00			
10.	Perso	onal care p	products and services	10.	\$	20.00			
11.			ntal expenses	11.	\$	0.00			
12.			Include gas, maintenance, bus or train fare. ar payments.	12.	\$	400.00			
13.			clubs, recreation, newspapers, magazines, and books	13.	\$	50.00			
			ributions and religious donations	14.	\$	0.00			
15.	Insur	ance.	•						
			nsurance deducted from your pay or included in lines 4 or 20.						
		Life insura		15a.	· -	0.00			
		Health insi		15b.	·	0.00			
		Vehicle ins		15c.	·	223.00			
			urance. Specify:	15d.	\$	0.00			
	Speci	ify:	aclude taxes deducted from your pay or included in lines 4 or 20.	16.	\$	0.00			
17.			ease payments:	47-	Φ.	005.70			
			ents for Vehicle 1	17a.	·	685.76			
			ents for Vehicle 2	17b.	· —	686.02			
		Other, Spe		17c.	\$ \$	0.00			
10		Other. Spe	еспу. of alimony, maintenance, and support that you did not repo	17d.	Ф	0.00			
10.			your pay on line 5, Schedule I, Your Income (Official Form 1		\$	0.00			
19.			s you make to support others who do not live with you.	001).	\$	0.00			
	Speci		,	19.	·				
20.	Other	r real prope	erty expenses not included in lines 4 or 5 of this form or on	Schedule I: Y	our Income.				
	20a.	Mortgages	s on other property	20a.	\$	0.00			
	20b.	Real estate	te taxes	20b.	\$	0.00			
	20c.	Property, h	homeowner's, or renter's insurance	20c.	\$	0.00			
			nce, repair, and upkeep expenses	20d.	· -	0.00			
	20e.	Homeown	er's association or condominium dues	20e.	\$	0.00			
21.	Othe	r: Specify:		21.	+\$	0.00			
22	Calci	ulate vour r	monthly expenses						
		•	through 21.		\$	4,802.78			
			2 (monthly expenses for Debtor 2), if any, from Official Form 106	SJ-2	\$	4,002.110			
			a and 22b. The result is your monthly expenses.	-	<u> </u>	4,802.78			
	220.7	Add IIIIC ZZC	a and 225. The result is your monthly expenses.		Ψ	4,002.78			
23.		-	monthly net income.						
			12 (your combined monthly income) from Schedule I.	23a.		4,805.75			
	23b.	Copy your	monthly expenses from line 22c above.	23b.	-\$	4,802.78			
	23c.		rour monthly expenses from your monthly income. is your <i>monthly net income</i> .	23c.	\$	2.97			
24.	For ex modifie	cample, do you cation to the t	an increase or decrease in your expenses within the year aft ou expect to finish paying for your car loan within the year or do you expect terms of your mortgage?	er you file this your mortgage pa	s form? ayment to increase	or decrease because of a			
	■ No		le						
	☐ Ye	es.	Explain here:						

Fill in this info	rmation to identify your	case:						
Debtor 1	Dave J Upchurch	Dave J Upchurch						
	First Name	Middle Name	Las	Name				
Debtor 2	Rachel V Upchur	ch						
(Spouse if, filing)	First Name	Middle Name	Las	Name				
United States E	Bankruptcy Court for the:	NORTHERN DISTRICT	OF ILLINO	S				
Case number								
(if known)					Check if this is an			
					amended filing			
o#: =	4000							
Official For	rm 106Dec							
Declara	tion About a	n Individual	Debto	or's Schedules	12/15			
If two married i	people are filing togethe	r. both are equally respon	nsible for s	upplying correct information.				
	poopio ai o iiiii g togoiii o	.,		applying correct information				
					tement, concealing property, or			
			ruptcy cas	e can result in fines up to \$250,0	000, or imprisonment for up to 20			
years, or both.	18 U.S.C. §§ 152, 1341, 1	1519, and 3571.						
Si	gn Below							
31	gii below							
Did you p	ay or agree to pay some	one who is NOT an attori	ney to help	you fill out bankruptcy forms?				
■ No								
■ No								
☐ Yes.	Name of person				tion Preparer's Notice, Declaration,			
				and Signature (Official F	orm 119).			
Under pen	alty of periury. I declare	that I have read the sum	marv and s	chedules filed with this declarat	ion and			
	re true and correct.		, ,					
Y /a/ D-	ve I I I nahurah		v	/o/ Doobol V Hackursh				
	ive J Upchurch J Upchurch		^	/s/ Rachel V Upchurch Rachel V Upchurch				
	ure of Debtor 1			Signature of Debtor 2				
O.g. iai								

Date December 9, 2015

Date December 9, 2015

Fill i	n thi <u>s inforn</u>	nation to identify you	r case:			
Debt		Dave J Upchurc				
		First Name	Middle Name	Last Name		
Debt		Rachel V Upchu				
(Spou	se if, filing)	First Name	Middle Name	Last Name		
Unite	ed States Bar	nkruptcy Court for the:	NORTHERN DISTRICT C	OF ILLINOIS		
Case	number _					
(if kno	wn)				_	Check if this is an mended filing
	icial Fo		Affaira far Individ	luala Eilina far B	an kruntov	
			Affairs for Individ			12/15
inforr	nation. If m		attach a separate sheet to		equally responsible for sup y additional pages, write yo	
Part	1: Give D	etails About Your Ma	urital Status and Where You	Lived Before		
1. \	What is you	current marital statu	ıs?			
 	■ Married □ Not mar	ried				
2. I	During the la	ast 3 years, have you	lived anywhere other than	where you live now?		
	<b>-</b>		·	•		
ı	■ No □ Yes. Lis	t all of the places you l	ived in the last 3 years. Do no	ot include where you live now	ı.	
	Debtor 1 Pr	ior Address:	Dates Debtor 1 lived there	Debtor 2 Prior Ad	dress:	Dates Debtor 2 lived there
					nity property state or territorico, Texas, Washington and V	
ı	No					
I	☐ Yes. Ma	ke sure you fill out Scl	hedule H: Your Codebtors (O	fficial Form 106H).		
Part	2 Explai	n the Sources of You	r Income			
F	Fill in the tota	I amount of income yo	nployment or from operating u received from all jobs and a have income that you receive	all businesses, including part		ndar years?
ı	□ No					
İ	_	in the details.				
			Debtor 1		Debtor 2	
			Sources of income Check all that apply.	Gross income (before deductions and exclusions)	Sources of income Check all that apply.	Gross income (before deductions and exclusions)
		of current year until d for bankruptcy:	■ Wages, commissions, bonuses, tips	\$44,818.40	■ Wages, commissions, bonuses, tips	\$31,127.79
			☐ Operating a business		☐ Operating a business	

Official Form 107

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Debtor 1 **Dave J Upchurch** Rachel V Upchurch Debtor 2 Case number (if known) Debtor 1 Debtor 2 Sources of income **Gross income** Sources of income Gross income Check all that apply. (before deductions and Check all that apply. (before deductions exclusions) and exclusions) For last calendar year: \$41,187.87 \$50,704.46 ■ Wages, commissions, Wages, commissions, (January 1 to December 31, 2014) bonuses, tips bonuses, tips ☐ Operating a business ☐ Operating a business For the calendar year before that: \$46,528.14 \$36,760.69 ■ Wages, commissions, Wages, commissions, (January 1 to December 31, 2013) bonuses, tips bonuses, tips ☐ Operating a business ☐ Operating a business Did you receive any other income during this year or the two previous calendar years? Include income regardless of whether that income is taxable. Examples of other income are alimony; child support; Social Security, unemployment, and other public benefit payments; pensions; rental income; interest; dividends; money collected from lawsuits; royalties; and gambling and lottery winnings. If you are filing a joint case and you have income that you received together, list it only once under Debtor 1. List each source and the gross income from each source separately. Do not include income that you listed in line 4. No Yes. Fill in the details. Debtor 1 Debtor 2 Sources of income **Gross income** Sources of income **Gross income** Describe below.. (before deductions and Describe below. (before deductions and exclusions) exclusions) From January 1 of current year until 2015 YTD: SS death \$5,730.00 the date you filed for bankruptcy: bnefits for son For last calendar year: 2014: SS death \$6,756.00 (January 1 to December 31, 2014) benefits for son For the calendar year before that: 2013: SS death \$6,500.00 (January 1 to December 31, 2013) benefits for son List Certain Payments You Made Before You Filed for Bankruptcy Are either Debtor 1's or Debtor 2's debts primarily consumer debts? Neither Debtor 1 nor Debtor 2 has primarily consumer debts. Consumer debts are defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." During the 90 days before you filed for bankruptcy, did you pay any creditor a total of \$6,225\* or more?  $\square$  No. Go to line 7. ☐ Yes List below each creditor to whom you paid a total of \$6,225\* or more in one or more payments and the total amount you paid that creditor. Do not include payments for domestic support obligations, such as child support and alimony. Also, do not include payments to an attorney for this bankruptcy case. \* Subject to adjustment on 4/01/16 and every 3 years after that for cases filed on or after the date of adjustment. Debtor 1 or Debtor 2 or both have primarily consumer debts. During the 90 days before you filed for bankruptcy, did you pay any creditor a total of \$600 or more? □ No. Go to line 7. List below each creditor to whom you paid a total of \$600 or more and the total amount you paid that creditor. Do not include payments for domestic support obligations, such as child support and alimony. Also, do not include payments to an attorney for this bankruptcy case. Creditor's Name and Address Dates of payment Amount you Was this payment for ... Total amount still owe paid

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Case number (if known)

Page 38 of 53 Document **Dave J Upchurch** 

	Creditor's Name and Address	Dates of payment	Total amount paid	Amount you still owe	Was this payment for			
	5/3 Bank PO Box 630900 Cincinnati, OH 45263	9-23-15 \$587.20; 10-7-15 \$587.20; 8-12-15 \$587.20; 8-26-15 \$587.20; 9-9-15 \$587.20 10-21-15; \$587.20 on 11-4-15; \$587.20 on 11-18-15; . Mortgage payments.	\$4,110.40	\$131,334.36	<ul> <li>■ Mortgage</li> <li>□ Car</li> <li>□ Credit Card</li> <li>□ Loan Repayment</li> <li>□ Suppliers or vendors</li> <li>□ Other</li> </ul>			
	Ford Motor Credit PO Box 54200 Omaha, NE 68154	10-13-15 \$725; 11-9-15 \$800;	\$1,525.00	\$42,977.00	☐ Mortgage ■ Car ☐ Credit Card ☐ Loan Repayment ☐ Suppliers or vendors ☐ Other			
	Citizens Bank PO Box 42113 Providence, RI 02940	9-15-15 \$686.51; 10-12-15 \$687	\$1,373.51	\$39,515.00	<ul> <li>☐ Mortgage</li> <li>☐ Car</li> <li>☐ Credit Card</li> <li>☐ Loan Repayment</li> <li>☐ Suppliers or vendors</li> <li>☐ Other</li> </ul>			
7.	Within 1 year before you filed for bankruptcy, did you make a payment on a debt you owed anyone who was an insider?  Insiders include your relatives; any general partners; relatives of any general partners; partnerships of which you are a general partner; corporations of which you are an officer, director, person in control, or owner of 20% or more of their voting securities; and any managing agent, including one for a business you operate as a sole proprietor. 11 U.S.C. § 101. Include payments for domestic support obligations, such as child support and alimony.							
	■ No							
	Yes. List all payments to an insider							
	Insider's Name and Address	Dates of payment	Total amount paid	Amount you still owe	Reason for this payment			
8.	Within 1 year before you filed for bankruptcy, did you make any payments or transfer any property on account of a debt that benefited an insider?  Include payments on debts guaranteed or cosigned by an insider.  No Yes. List all payments to an insider							
	Insider's Name and Address	Dates of payment	Total amount	Amount you	Reason for this payment			
			paid	still owe	Include creditor's name			
Pai	t 4: Identify Legal Actions, Repossession	ns, and Foreclosures						
9.	Within 1 year before you filed for bankrup List all such matters, including personal injur modifications, and contract disputes.  No Yes. Fill in the details.							
	Case title	Nature of the case	Court or agency		Status of the case			
	Case number							

Debtor 1

Debtor 2 Rachel V Upchurch

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	otor 1 Dave J Upchurch  Rachel V Upchurch	Case	e number (if known)					
10.		Within 1 year before you filed for bankruptcy, was any of your property repossessed, foreclosed, garnished, attached, seized, or levied? Check all that apply and fill in the details below.						
	■ No □ Yes. Fill in the information below.							
	Creditor Name and Address	Describe the Property	Date	Value of the				
		Explain what happened		property				
11.	Within 90 days before you filed for bank accounts or refuse to make a payment by No  Yes. Fill in the details.	ruptcy, did any creditor, including a bank or fin ecause you owed a debt?	nancial institution, set off any a	amounts from your				
	Creditor Name and Address	Describe the action the creditor took	Date action was taken	Amount				
12.	Within 1 year before you filed for bankro court-appointed receiver, a custodian, o  ■ No □ Yes	optcy, was any of your property in the possession r another official?	on of an assignee for the bene	efit of creditors, a				
Pai	t 5: List Certain Gifts and Contribution	ıs						
13.	Within 2 years before you filed for bank  ■ No  □ Yes. Fill in the details for each gift.	ruptcy, did you give any gifts with a total value o	of more than \$600 per person	?				
	Gifts with a total value of more than \$6 per person	·	Dates you gave the gifts	Value				
	Person to Whom You Gave the Gift and Address:							
14.	Within 2 years before you filed for bank  ■ No □ Yes. Fill in the details for each gift or	ruptcy, did you give any gifts or contributions w	vith a total value of more than	\$600 to any charity				
	Gifts or contributions to charities that more than \$600 Charity's Name Address (Number, Street, City, State and ZIP Cod	total Describe what you contributed	Dates you contributed	Value				
Pai	t 6: List Certain Losses							
15. Within 1 year before you filed for bankruptcy or since you filed for bankruptcy, did you lose anything because of theft, fire, or disaster, or gambling?								
	■ No							
	☐ Yes. Fill in the details.							
	Describe the property you lost and	Describe any insurance coverage for the loss		Value of property				
	how the loss occurred	Include the amount that insurance has paid. List pending insurance claims on line 33 of <i>Schedule Property</i> .	loss A/B:	lost				

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	otor i Dave 3 Opchurch						
Del	etor 2 Rachel V Upchurch		Case number (if known)				
Par	t 7: List Certain Payments or Transfers						
	Within 1 year before you filed for bankruptcy, consulted about seeking bankruptcy or prepared include any attorneys, bankruptcy petition prepared No	ring a bankruptcy petition?					
	Yes. Fill in the details.						
	Person Who Was Paid Address Email or website address Person Who Made the Payment, if Not You	Description and value of any prop transferred	Date payment or transfer was made	Amount of payment			
	Law Office of Charles L. Schmidt, Ltd. 117 W. Washington St. Morris, IL 60450	\$1350	10-30-15	\$1,350.00			
17.	Within 1 year before you filed for bankruptcy, did you or anyone else acting on your behalf pay or transfer any property to anyone who promised to help you deal with your creditors or to make payments to your creditors?  Do not include any payment or transfer that you listed on line 16.  No  Yes. Fill in the details.						
	Person Who Was Paid Address	Description and value of any prop transferred	Date payment or transfer was made	Amount of payment			
18.	Within 2 years before you filed for bankruptcy, transferred in the ordinary course of your businclude both outright transfers and transfers made include gifts and transfers that you have already line.  No Yes. Fill in the details.	iness or financial affairs? e as security (such as the granting of a					
	Person Who Received Transfer Address Person's relationship to you	Description and value of property transferred	Describe any property or payments received or debts paid in exchange	Date transfer was made			
19.	Within 10 years before you filed for bankruptc beneficiary? (These are often called asset-protect No □ Yes. Fill in the details.		self-settled trust or similar devic	e of which you are a			
	Name of trust	Description and value of the prop	perty transferred	Date Transfer was made			

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Debtor 1 Dave J Upchurch Debtor 2 Rachel V Upchurch			Case number (if known)					
Par	t 8: List of Certain Financial Accounts, Ir	estruments. Safe Denos	sit Boxes and	Storage Ur	nits			
20.		cy, were any financial a	uccounts or ins	struments h	neld in your name, or for y			
	Name of Financial Institution and Address (Number, Street, City, State and ZIP Code)	Last 4 digits of account number	· · · · · · · · · · · · · · · · · · ·		Date account was closed, sold, moved, or transferred	Last balance before closing o transfe		
	5/3 Bank PO Box 630900 Cincinnati, OH 45263	XXXX-0	■ Checking □ Savings □ Money M □ Brokerag □ Other	arket	\$800	\$800.00		
21.								
	Name of Financial Institution Address (Number, Street, City, State and ZIP Code)	Who else had ac Address (Number, State and ZIP Code)		Describe	e the contents	Do you still have it?		
22.	Have you stored property in a storage unit  No Yes. Fill in the details.	or place other than you	ur home within	1 year bef	ore you filed for bankrupt	су		
	Name of Storage Facility Address (Number, Street, City, State and ZIP Code)	to it?	to it? Address (Number, Street, City,		e the contents	Do you still have it?		
Par	t 9: Identify Property You Hold or Contro	I for Someone Else						
23.	Do you hold or control any property that so for someone.  No Yes. Fill in the details.	omeone else owns? Inc	clude any prop	erty you bo	orrowed from, are storing	for, or hold in trust		
	Owner's Name Address (Number, Street, City, State and ZIP Code)		(Number, Street, City, State and ZIP		e the property	Value		
	Michael Upchurch 222 N. Merrill St. Braceville, IL 60407	5/3 Bank	son wh accide in an a restric years o		34 held in account for o was injured in a car ot. This money is held ccount at 5/3 and is ed until Michael is 18 of age. Debtor has no to the account.	\$4,844.34		

#### Part 10: Give Details About Environmental Information

For the purpose of Part 10, the following definitions apply:

- Environmental law means any federal, state, or local statute or regulation concerning pollution, contamination, releases of hazardous or toxic substances, wastes, or material into the air, land, soil, surface water, groundwater, or other medium, including statutes or regulations controlling the cleanup of these substances, wastes, or material.
- Site means any location, facility, or property as defined under any environmental law, whether you now own, operate, or utilize it or used

  Official Form 107 Statement of Financial Affairs for Individuals Filing for Bankruptcy page 6

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Debtor 1 Dave J Upchurch
Debtor 2 Rachel V Upchurch

Case number (if known)

to own, operate, or utilize it, including disposal sites. Hazardous material means anything an environmental law defines as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, contaminant, or similar term. Report all notices, releases, and proceedings that you know about, regardless of when they occurred. 24. Has any governmental unit notified you that you may be liable or potentially liable under or in violation of an environmental law? No Yes. Fill in the details. Name of site Governmental unit Environmental law, if you Date of notice Address (Number, Street, City, State and Address (Number, Street, City, State and ZIP Code) know it ZIP Code) 25. Have you notified any governmental unit of any release of hazardous material? No Yes. Fill in the details. Name of site Governmental unit Environmental law, if you Date of notice Address (Number, Street, City, State and Address (Number, Street, City, State and ZIP Code) know it ZIP Code) 26. Have you been a party in any judicial or administrative proceeding under any environmental law? Include settlements and orders. No Yes. Fill in the details. Case Title Court or agency Nature of the case Status of the **Case Number** Name case Address (Number, Street, City, State and ZIP Code) Part 11: Give Details About Your Business or Connections to Any Business 27. Within 4 years before you filed for bankruptcy, did you own a business or have any of the following connections to any business? ☐ A sole proprietor or self-employed in a trade, profession, or other activity, either full-time or part-time ☐ A member of a limited liability company (LLC) or limited liability partnership (LLP) ■ A partner in a partnership ☐ An officer, director, or managing executive of a corporation ☐ An owner of at least 5% of the voting or equity securities of a corporation No. None of the above applies. Go to Part 12. Yes. Check all that apply above and fill in the details below for each business. **Business Name** Describe the nature of the business **Employer Identification number** Address Do not include Social Security number or ITIN. (Number, Street, City, State and ZIP Code) Name of accountant or bookkeeper Dates business existed 28. Within 2 years before you filed for bankruptcy, did you give a financial statement to anyone about your business? Include all financial institutions, creditors, or other parties. No

Name

Address

**Date Issued** 

☐ Yes. Fill in the details below.

(Number, Street, City, State and ZIP Code)

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Debtor 1 Dave J Upchurch	•	
Debtor 2 Rachel V Upchurch	Case numb	PET (if known)
Port 40. Circa Poloni		
Part 12: Sign Below		
I have read the answers on this Stateme	nt of Financial Affairs and any attachments, and I declare	under penalty of perjury that the answers
are true and correct. I understand that m	aking a false statement, concealing property, or obtaining	g money or property by fraud in connection
	s up to \$250,000, or imprisonment for up to 20 years, or b	ooth.
18 U.S.C. §§ 152, 1341, 1519, and 3571.		
/s/ Dave J Upchurch	/s/ Rachel V Upchurch	
Dave J Upchurch	Rachel V Upchurch	
Signature of Debtor 1	Signature of Debtor 2	
Date December 9, 2015	Date December 9, 2015	
Did you attach additional pages to Your	Statement of Financial Affairs for Individuals Filing for Ba	nnkruptcy (Official Form 107)?
■ No		
☐ Yes		
Did you pay or agree to pay someone wh	o is not an attorney to help you fill out bankruptcy forms	?
■ No		
☐ Yes. Name of Person . Attach the	e Bankruptcy Petition Preparer's Notice. Declaration, and Sign	nature (Official Form 119).

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Fill in this information to identify your case:								
Debtor 1 Dave J Upchurch								
First Name	Middle Name	Last Name						
Rachel V Upchure	ch							
First Name	Middle Name	Last Name						
United States Bankruptcy Court for the: NORTHERN DISTRICT OF ILLINOIS								
Case number								
(if known)								
				amended filing				
	Dave J Upchurch First Name Rachel V Upchurch First Name	Dave J Upchurch  First Name Middle Name  Rachel V Upchurch  First Name Middle Name	Dave J Upchurch  First Name Middle Name Last Name  Rachel V Upchurch  First Name Middle Name Last Name	Dave J Upchurch  First Name Middle Name Last Name  Rachel V Upchurch  First Name Middle Name Last Name				

### Official Form 108

### Statement of Intention for Individuals Filing Under Chapter 7

12/15

If you are an individual filing under chapter 7, you must fill out this form if:

- creditors have claims secured by your property, or
- you have leased personal property and the lease has not expired.

You must file this form with the court within 30 days after you file your bankruptcy petition or by the date set for the meeting of creditors, whichever is earlier, unless the court extends the time for cause. You must also send copies to the creditors and lessors you list on the form

If two married people are filing together in a joint case, both are equally responsible for supplying correct information. Both debtors must sign and date the form.

Be as complete and accurate as possible. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known).

#### Part 1: List Your Creditors Who Have Secured Claims

<ol> <li>For any creditors that you listed in Part 1 of Schedule I information below.</li> </ol>	D: Creditors Who Have Claims Secured by Property (	Official Form 106D), fill in the
Identify the creditor and the property that is collateral	What do you intend to do with the property that secures a debt?	Did you claim the property as exempt on Schedule C?
Creditor's Citizens One Auto Fin	■ Surrender the property.	■ No
name:	☐ Retain the property and redeem it.	
	☐ Retain the property and enter into a	☐ Yes
Description of 2014 Kia Cadenza	Reaffirmation Agreement.	
property	☐ Retain the property and [explain]:	
securing debt:		
Creditor's Fifth Third Bank	☐ Surrender the property.	□ No
name:	☐ Retain the property and redeem it.	
Description of 222 N. Merrill St Braceville, IL	Retain the property and enter into a	■ Yes
property 60407-9082 Grundy County	Reaffirmation Agreement.  Retain the property and [explain]:	
securing debt:	☐ Retain the property and [explain].	
Creditor's Ford Motor Cr	☐ Surrender the property.	□ No
name:	Retain the property and redeem it.	<del></del>
	Retain the property and enter into a	■ Yes
Description of 2014 Ford F-150	Reaffirmation Agreement.	
property	☐ Retain the property and [explain]:	

Official Form 108

Statement of Intention for Individuals Filing Under Chapter 7

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securing debt:	<del></del>
in the information below. Do not list real estate leases.	es ed in Schedule G: Executory Contracts and Unexpired Leases (Official Form 106G), fill Unexpired leases are leases that are still in effect; the lease period has not yet ended. if the trustee does not assume it. 11 U.S.C. § 365(p)(2).
Describe your unexpired personal property leases	Will the lease be assumed?
Lessor's name: Description of leased Property:	□ No □ Yes
Lessor's name: Description of leased Property:	□ No
Lessor's name: Description of leased Property:	□ No
Lessor's name: Description of leased Property:	□ No □ Yes
Lessor's name: Description of leased Property:	□ No
Lessor's name: Description of leased Property:	□ No □ Yes
Lessor's name: Description of leased Property:	□ No
Part 3: Sign Below	
Under penalty of perjury, I declare that I have indicated property that is subject to an unexpired lease.  X /s/ Dave J Upchurch	my intention about any property of my estate that secures a debt and any personal  X /s/ Rachel V Upchurch
Dave J Upchurch Signature of Debtor 1	Rachel V Upchurch Signature of Debtor 2
Date December 9, 2015	Date December 9, 2015

B8 (Form 8) (12/08)

Page 2

# Notice Required by 11 U.S.C. § 342(b) for Individuals Filing for Bankruptcy (Form 2010)

#### This notice is for you if:

You are an individual filing for bankruptcy, and

Your debts are primarily consumer debts. Consumer debts are defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose."

## The types of bankruptcy that are available to individuals

Individuals who meet the qualifications may file under one of four different chapters of Bankruptcy Code:

Chapter 7 - Liquidation

Chapter 11 - Reorganization

Chapter 12 - Voluntary repayment plan for family farmers or fishermen

Chapter 13 - Voluntary repayment plan for individuals with regular income

You should have an attorney review your decision to file for bankruptcy and the choice of chapter.

Chapter 7:	Liquidation
\$245	filing fee
\$75	administrative fee
+ \$15	trustee surcharge
\$335	total fee

Chapter 7 is for individuals who have financial difficulty preventing them from paying their debts and who are willing to allow their nonexempt property to be used to pay their creditors. The primary purpose of filing under chapter 7 is to have your debts discharged. The bankruptcy discharge relieves you after bankruptcy from having to pay many of your pre-bankruptcy debts. Exceptions exist for particular debts, and liens on property may still be enforced after discharge. For example, a creditor may have the right to foreclose a home mortgage or repossess an automobile.

However, if the court finds that you have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge.

You should know that even if you file chapter 7 and you receive a discharge, some debts are not discharged under the law. Therefore, you may still be responsible to pay:

most taxes;

most student loans;

domestic support and property settlement obligations;

most fines, penalties, forfeitures, and criminal restitution obligations; and

certain debts that are not listed in your bankruptcy papers.

You may also be required to pay debts arising from:

fraud or theft:

fraud or defalcation while acting in breach of fiduciary capacity;

intentional injuries that you inflicted; and

death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs.

If your debts are primarily consumer debts, the court can dismiss your chapter 7 case if it finds that you have enough income to repay creditors a certain amount. You must file *Chapter 7 Statement of Your Current Monthly Income* (Official Form 122A–1) if you are an individual filing for bankruptcy under chapter 7. This form will determine your current monthly income and compare whether your income is more than the median income that applies in your state.

If your income is not above the median for your state, you will not have to complete the other chapter 7 form, the *Chapter 7 Means Test Calculation* (Official Form 122A–2).

If your income is above the median for your state, you must file a second form —the *Chapter 7 Means Test Calculation* (Official Form 122A–2). The calculations on the form— sometimes called the *Means Test*—deduct from your income living expenses and payments on certain debts to determine any amount available to pay unsecured creditors. If

your income is more than the median income for your state of residence and family size, depending on the results of the *Means Test*, the U.S. trustee, bankruptcy administrator, or creditors can file a motion to dismiss your case under § 707(b) of the Bankruptcy Code. If a motion is filed, the court will decide if your case should be dismissed. To avoid dismissal, you may choose to proceed under another chapter of the Bankruptcy Code.

If you are an individual filing for chapter 7 bankruptcy, the trustee may sell your property to pay your debts, subject to your right to exempt the property or a portion of the proceeds from the sale of the property. The property, and the proceeds from property that your bankruptcy trustee sells or liquidates that you are entitled to, is called *exempt property*. Exemptions may enable you to keep your home, a car, clothing, and household items or to receive some of the proceeds if the property is sold.

Exemptions are not automatic. To exempt property, you must list it on *Schedule C: The Property You Claim as Exempt* (Official Form 106C). If you do not list the property, the trustee may sell it and pay all of the proceeds to your creditors.

#### **Chapter 11: Reorganization**

\$1,167 filing fee

+ \$550 administrative fee \$1,717 total fee

Chapter 11 is often used for reorganizing a business, but is also available to individuals. The provisions of chapter 11 are too complicated to summarize briefly.

#### **Read These Important Warnings**

Because bankruptcy can have serious long-term financial and legal consequences, including loss of your property, you should hire an attorney and carefully consider all of your options before you file. Only an attorney can give you legal advice about what can happen as a result of filing for bankruptcy and what your options are. If you do file for bankruptcy, an attorney can help you fill out the forms properly and protect you, your family, your home, and your possessions.

Although the law allows you to represent yourself in bankruptcy court, you should understand that many people find it difficult to represent themselves successfully. The rules are technical, and a mistake or inaction may harm you. If you file without an attorney, you are still responsible for knowing and following all of the legal requirements.

You should not file for bankruptcy if you are not eligible to file or if you do not intend to file the necessary documents.

Bankruptcy fraud is a serious crime; you could be fined and imprisoned if you commit fraud in your bankruptcy case. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

# Chapter 12: Repayment plan for family farmers or fishermen

	\$200	filing fee
+	\$75	administrative fee
	\$275	total fee

Similar to chapter 13, chapter 12 permits family farmers and fishermen to repay their debts over a period of time using future earnings and to discharge some debts that are not paid.

# Chapter 13: Repayment plan for individuals with regular income

	\$235	filing fee
+	\$75	administrative fee
	\$310	total fee

Chapter 13 is for individuals who have regular income and would like to pay all or part of their debts in installments over a period of time and to discharge some debts that are not paid. You are eligible for chapter 13 only if your debts are not more than certain dollar amounts set forth in 11 U.S.C. § 109.

Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, usually using your future earnings. If the court approves your plan, the court will allow you to repay your debts, as adjusted by the plan, within 3 years or 5 years, depending on your income and other factors.

After you make all the payments under your plan, many of your debts are discharged. The debts that are not discharged and that you may still be responsible to pay include:

domestic support obligations,

most student loans,

certain taxes,

debts for fraud or theft,

debts for fraud or defalcation while acting in a fiduciary capacity,

most criminal fines and restitution obligations,

certain debts that are not listed in your bankruptcy papers,

certain debts for acts that caused death or personal injury, and

certain long-term secured debts.

#### Warning: File Your Forms on Time

Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information about your creditors, assets, liabilities, income, expenses and general financial condition. The court may dismiss your bankruptcy case if you do not file this information within the deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

For more information about the documents and their deadlines, go to: <a href="http://www.uscourts.gov/bkforms/bankruptcy\_forms.html#procedure">http://www.uscourts.gov/bkforms/bankruptcy\_forms.html#procedure</a>.

#### Bankruptcy crimes have serious consequences

If you knowingly and fraudulently conceal assets or make a false oath or statement under penalty of perjury—either orally or in writing—in connection with a bankruptcy case, you may be fined, imprisoned, or both.

All information you supply in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the U.S. Trustee, the Office of the U.S. Attorney, and other offices and employees of the U.S. Department of Justice.

#### Make sure the court has your mailing address

The bankruptcy court sends notices to the mailing address you list on *Voluntary Petition for Individuals Filing for Bankruptcy* (Official Form 101). To ensure that you receive information about your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address.

A married couple may file a bankruptcy case together—called a *joint case*. If you file a joint case and each spouse lists the same mailing address on the bankruptcy petition, the bankruptcy court generally will mail you and your spouse one copy of each notice, unless you file a statement with the court asking that each spouse receive separate copies.

# Understand which services you could receive from credit counseling agencies

The law generally requires that you receive a credit counseling briefing from an approved credit counseling agency. 11 U.S.C. § 109(h). If you are filing a joint case, both spouses must receive the briefing. With limited exceptions, you must receive it within the 180 days *before* you file your bankruptcy petition. This briefing is usually conducted by telephone or on the Internet.

In addition, after filing a bankruptcy case, you generally must complete a financial management instructional course before you can receive a discharge. If you are filing a joint case, both spouses must complete the course.

You can obtain the list of agencies approved to provide both the briefing and the instructional course from: http://justice.gov/ust/eo/hapcpa/ccde/cc\_approved.html.

In Alabama and North Carolina, go to: http://www.uscourts.gov/FederalCourts/Bankruptcy/ BankruptcyResources/ApprovedCredit AndDebtCounselors.aspx.

If you do not have access to a computer, the clerk of the bankruptcy court may be able to help you obtain the list. Case 15-41512 Doc 1 Filed 12/09/15 Entered 12/09/15 08:37:30 Desc Main Document Page 50 of 53

B2030 (Form 2030) (12/15)

### **United States Bankruptcy Court** Northern District of Illinois

In	Dave J Upchurch Rachel V Upchurch		Case No.				
	- tasisi i openaren	Debtor(s)	Chapter	7			
	DISCLOSURE OF COMPENSA	ATION OF ATTO	RNEY FOR DE	BTOR(S)			
1.	Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), compensation paid to me within one year before the filing of be rendered on behalf of the debtor(s) in contemplation of or	the petition in bankruptcy	, or agreed to be paid	to me, for services rendered or to			
	For legal services, I have agreed to accept		\$	1,350.00			
	Prior to the filing of this statement I have received		\$	1,350.00			
	Balance Due		\$	0.00			
2.	\$_335.00 of the filing fee has been paid.						
3.	The source of the compensation paid to me was:						
	■ Debtor □ Other (specify):						
4.	The source of compensation to be paid to me is:						
	■ Debtor □ Other (specify):						
5.	■ I have not agreed to share the above-disclosed compensation	tion with any other person	unless they are memb	pers and associates of my law firm.			
	☐ I have agreed to share the above-disclosed compensation copy of the agreement, together with a list of the names of						
6.	In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:						
	<ul><li>a. Analysis of the debtor's financial situation, and rendering</li><li>b. Preparation and filing of any petition, schedules, statemer</li><li>c. Representation of the debtor at the meeting of creditors and</li><li>d. [Other provisions as needed]</li></ul>	nt of affairs and plan which	n may be required;				
7.	By agreement with the debtor(s), the above-disclosed fee doe	s not include the following	g service:				
	Cl	ERTIFICATION					
this	I certify that the foregoing is a complete statement of any agrees bankruptcy proceeding.	eement or arrangement for	payment to me for re	presentation of the debtor(s) in			
	December 9, 2015	/s/ Charles L. Scl	nmidt				
_	Date	Charles L. Schm Signature of Attorne	idt ey arles L. Schmidt, I on St. ax: 815-531-1041	_td.			
		Name of law firm					

### **United States Bankruptcy Court** Northern District of Illinois

In re	Dave J Upchurch Rachel V Upchurch		Case No.	
	Racher v Openaren	Debtor(s)	Chapter	7
	VI	ERIFICATION OF CREDITOR N	MATRIX	
		Number o	f Creditors:	16
	The above-named Debtor(s (our) knowledge.	) hereby verifies that the list of credi	itors is true and	correct to the best of my
Date:	December 9, 2015	/s/ Dave J Upchurch Dave J Upchurch Signature of Debtor		
Date:	December 9, 2015	/s/ Rachel V Upchurch		

Best Buy/cbna 50 Northwest Point Road Elk Grove Village, IL 60007

Cap1/Menards Po Box 30253 Salt Lake City, UT 84130

Choice Recovery, Inc. 1550 Old Henderson Rd., Suite 100 Columbus, OH 43220-3662

Citi Po Box 6241 Sioux Falls, SD 57117

Citi Pob 6241 Sioux Falls, SD 57117

Citi-shell Po Box 6497 Sioux Falls, SD 57117

Citizens One Auto Fin 480 Jefferson Blvd Warwick, RI 02886

Creditors Discount & A 415 E Main St Streator, IL 61364

Creditors Discount and Audit 415 E. Main St., PO Box 213 Streator, IL 61364-0213

Fifth Third Bank 5050 Kingsley Drive Cincinnati, OH 45263

Fnb Omaha/ Visa Po Box 3412 Omaha, NE 68103 Ford Motor Cr Po Box Box 542000 Omaha, NE 68154

Kohls/capone N56 W 17000 Ridgewood Dr Menomonee Falls, WI 53051

Syncb/sams Club Dc Po Box 965005 Orlando, FL 32896

Syncb/value City Furni C/o Po Box 965036 Orlando, FL 32896

Syncb/walmart Po Box 965024 Orlando, FL 32896